LUCIUS B. SWIFT

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LUCIUS B. SWIFT

A BIOGRAPHY

By

WILLIAM DUDLEY FOULKE

Author of Slav or Saxon, Life of Oliver P. Morton, Maya, Translation of History of the Langobards by Paul the Deacon, a Hoosier Autobiography, Roosevelt and the Spoilsmen, and other works

SPECIAL EDITION

PUBLISHED FOR THE INDIANA HISTORICAL SOCIETY BY
THE BOBBS-MERRILL COMPANY
INDIANAPOLIS 1930

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INDIANA HISTORICAL SOCIETY

FOREWORD

The aim of the compiler of this biographical material has been to let Mr. Swift (so far as possible) tell his own story in his own words. He can do this far better than any one else can do it for him. There are a few men whose candor and honesty are so perfect and transparent that the words they speak or write give us a faithful image of their inmost thoughts. Mr. Swift was one of them.

Nor do the things he said require much comment. They are clear and simple and the reader can judge their merits quite as well as the man who has collected them. Only a short description of his personal characteristics is added at the end, and even this is drawn largely from the words of others so that it may not be tinctured too much by the partiality of one of his closest and most devoted friends.

INTEGER VITÆ

In Memory of Lucius B. Swift

A Spartan patriot (yet of kindliest heart)
With dauntless courage and a sturdy mind,
A simple nature, free from tricks of art;
A soul that bore good-will to humankind,
Save to the miscreants who defiled the state
And seized the plunder of the commonweal;
For those he had full store of righteous hate
And sought their overthrow with ceaseless zeal;
Unselfish always, quick to give or share
The honor that his tireless toil had won,
So modest too that he would shun the blare
Of men's applause for "simple duty" done,—
What words are fit his rugged worth to tell?
Comrade in many a struggle, fare thee well!

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PART I

EARLY LIFE

BOYHOOD

Lucius Burrie Swift was born July 31, 1844, on a farm which had been purchased by his father from the Government in the town (or township) of Yates close to the southern shore of Lake Ontario in Orleans County, New York. He was the youngest of seven children of Stephen and Content Aber Swift. His father was a pioneer farmer, who was descended from William Swyft, "yeoman," who came to this country from Bocking, Essex County, England, in 1630, as one of the settlers under the charter of "The Governor and Company of Massachusetts Bay." Swyft was called a "proprietor" in that company. When land was divided from time to time he received his share. His first home was in Watertown near Cambridge. But he presently sold all his rights in the company. In 1637 he moved to a tract of land on the north shore of the peninsula of Cape Cod in the town of Sandwich, which he turned into a farm and which, it is said, was still owned only a short time ago, by one of his descendants, Shadrach Freeman Swift.

When Lucius was four years old he began to attend the district school. In his primary education, the spelling bee cut a large figure. About a mile away from his home, however, there was a classical school, known as the Yates Academy, which was the center of intellectual activity for this rural neighborhood. Every one believed in the merits of the Academy and flocked to the public meetings which were held under its auspices. At one time it had three hundred students.

When the boy was about ten he was sent to this academy which his five surviving brothers and sisters also attended. Both the district school and the Academy had good libraries

and he read such works as Irving's *Columbus,* Prescott's histories, Cook's *Voyages,* Chambers' *Miscellany, Pilgrim's Progress* and other standard books furnished by the Regents of the New York University to all district schools. He confesses that he also read the *New York Ledger,* a purveyor of poor fiction, as well as the *New York Weekly Tribune.* He first noticed the advent of telegraphy by a change in its headlines to "Latest News from Washington by Magnetic Telegraph."

From his early boyhood he did chores upon the farm and with the stock, and by the time he was fourteen he became in most respects a full farm-hand. He was an expert raker and binder and "could take into his bundle the last clip of any cradler." In the winter he split rails and chopped wood for fuel. His studying was done in school hours and at night by the light of a single home-made tallow candle. His mother used to spin, card and weave. His first trousers were the product of her hand. Later he helped her in weaving rag carpets, and became expert at the task.

He thus describes the neighborhood and what went on there:

> In the main, Yates was a typical New England community, rigorous in Sunday matters but gradually softening as the years went on. Whiskey still had the floor. Two well and ditch diggers with a jug of whiskey from time to time lay by the roadside sometimes for two days in a stupor and the boys threw pebbles at them on the way home from school and usually a very red face rose up and a hoarse voice denounced them as they ran. And at times old Tom Porter came out of the West gently driving an ox-team and took the road to the village. When he returned all was changed. He was much stimulated, and his steers were galloping and the children watched through the school windows to see if he could turn the corner. Many times it was a close call but no accident ever happened. Yet there were no arrests.

He remembered the day when Brooks struck down Charles Sumner in the Senate Chamber and when the news came that John Brown was executed, as well as a multitude of other events in the fifties of the last century. In 1856 his town had given a majority of 103 for John C. Frémont and his father's vote was with that majority. Fugitive slaves passing through the farm on their way to Canada and freedom asked

THE BOY "BURR"

Lucius, called "Burr," about ten years old, at Yates Academy, wearing the suit spun, woven and made by his mother.

for food and assistance and they were not denied. Thus the boy was brought up in the traditions of human liberty.

IN THE CIVIL WAR

When the Civil War came on in 1861 he at once joined a company of the 28th New York Infantry which was being raised under Lincoln's first call for troops, but after drilling for some time he gave his age as sixteen and the mustering officer struck out his name. Whereupon he went back home and his company departed without him. But in August he borrowed some money from a neighbor and paid his fare to the place where the company was camping in Maryland and there, after serving several weeks in the ranks like a soldier, he was finally accepted and put on the pay-roll and his age was set down as eighteen, but he was not mustered *in,* till the omission was discovered on the day the regiment was mustered *out* at Lockport, June 2, 1863. He saw twenty-one months of grilling service "under junior officers of the best kind but under wholly incompetent high grade commanders, particularly [Nathaniel] Banks and [Joseph] Hooker."

He was twice captured by the troops of Stonewall Jackson, the first time was during one of the Shenandoah campaigns when he spent nine weeks as a prisoner on Belle Isle in the James River.[1] He said that during this imprisonment there was not a day when he did not keenly feel the pangs of hunger. He was captured again at the battle of Chancellorsville and was then confined for a short time in Libby Prison at Richmond but was afterward paroled. He had been promoted to the rank of sergeant and he thus speaks of his companions in the army:[2]

> There was in my company a sprinkling of all kinds of spicy Irishmen and a few Germans. The rest were mostly American farmer boys like myself and included twenty school-teachers. With such a combination

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[1] Captured May 25, 1862, at Bunker Hill, Virginia; paroled, September thirteenth at Aikens Landing, Virginia. Captured, Chancellorsville, Virginia, May 5, 1863. Records Adjuant-General of the State of New York.

[2] MS. narrative.

there was no lack of conversation and jokes, and the march was not always dull plodding. To a great extent officers and men were school and village comrades. The officers of my regiment, as a rule, were men of substance and character at home and were respected by us. Our colonel was a real father of the regiment and our other officers, although often our schoolmates and boy companions and but a single remove from actual comradeship now, were yet officers having the right to command, and no enlisted man ever for a moment trespassed upon that right. Our captain often urged the sergeants to keep a line between themselves and the other men, but we could not bring ourselves to do it with old schoolmates and when off duty we were simply comrades with them. But on duty, the matter was different; we expected to be obeyed without demur and I never knew of but one case of disobedience.

In his old age he visited with interest some of the scenes of his army life—Harrisonburg, where his captain had been provost-marshal four weeks in 1862 and where his company policed the town, also Waynesboro, where he went to look at the hills over which he marched as a prisoner on his way to Lynchburg.

In 1864 he re-enlisted in the First New York Light Artillery refusing the offer of the town committee to make him captain of a new infantry company they were raising. This, as he afterward found, was a mistake, for from then on till the end of the war he was assigned to detached service as assistant chief clerk at Elmira, forwarding men to Grant's army in Virginia.

IN MICHIGAN UNIVERSITY

He was finally honorably discharged on May 9, 1865, and went back to the farm for the summer, but he did not want to continue to be a farmer. One evening in the kitchen he talked with his mother about his future plans "while she did the supper dishes" and they came to the conclusion that in order to get into anything more worth while he would have to go to college. So he sold to his brother for $1,600 his half of a farm of some sixty acres which they had bought together during the war, and with this money he paid for the necessary preparation. At this time Yates Academy was closed but its principal was at the head of a new academy at Medina, the county seat, eight miles south. Here Swift spent the winter of 1865-66 doing his preparatory work.

He had learned enough Latin for entrance but had never studied Greek and none of the colleges near by would admit him without a knowledge of that language. Learning that Michigan University would do so, he entered there in the fall of 1866 and was graduated in 1870. He belonged to the Psi Upsilon fraternity and was one of fifteen members of his class chosen to speak at commencement. Of this he writes that he "was permitted to deliver a fool oration about the 'Blood-Sealed Greenbacks,'" rehearsed before Professor Moses Coit Tyler, whose only remark was, "Did no one ever tell you to open your mouth when you speak?" No one had done so, not even Moses Coit Tyler himself.

GEORGE KENNAN—EARLY POLITICAL EXPERIENCE

After his graduation he went back home to Medina where, he says, he was coaxed into the law office of the best lawyer in the county—that this was a mistake. In compensation, however, there were two years of intimate association with George Kennan, the Siberian traveler; who afterward wrote of the exile system in that country.

His companionship with Kennan encouraged him in the development of independent political views. He was always interested in public affairs. His first experience in politics was in Yates in 1865 as clerk of the Republican town caucus. He observed that a man who wished to be nominated as a candidate for the state legislature led into the room a large number of men who were not Republicans, took their tickets and put them into the ballot box. Swift refused to sign the certificate of the man's election. The chairman of the caucus approved of Swift's action but was too diplomatic to refuse to sign himself, saying, "We must look to the future." The more familiar Swift became with politics, the more he came to see that party organizations were largely in the hands of such men, and that the main struggle was for places in the public service. After he had learned that the primaries were usually controlled by sets of professional politicians, he rarely attended them.

And now, with Kennan, he took to reading the *Nation,* a New York weekly then edited by E. L. Godkin, and sympathized warmly with the independent ideas it contained. Swift was a severe critic of the scandals in Grant's administration and still more so of the monstrous corruption and abuses under the rule of William M. Tweed and his fellow conspirators in New York City.

SCHOOL SUPERINTENDENT

At the end of his two years of study in the law office at Medina he had to teach school to pay a college debt. Receiving an offer to act as principal of the high school at La Porte, Indiana, he moved to that city where he served one year as principal and later six years as superintendent of all the schools. He declares that the best thing he did for La Porte was to bring from Elmira College (the earliest woman's college in America) six of its graduates as teachers. Among these was Ella Lyon, of Medina, who afterwards became his wife and constantly worked with him in his law office as his secretary, both in his professional work and in his political and other public activities.

The following extracts from a diary kept by Mr. Swift while he was principal of the high school are a striking revelation of his self-criticism in the development of his character.

October 17, 1875.

One day last spring Harper Bros.' agent from Indianapolis met me on the street and told me the position of Supt. of Schools in Evansville was to become vacant. He suggested the perfect feasibility of my getting the position and intimated that his influence would have great weight for me. The pay is $2,500.00 and I was very much pleased with the prospect. Upon the heel of this he asked me to go down to the meeting of of our County Board of Education, which was to take place in a few days and "speak a good word for Harper's Readers." I was fairly taken in and with a little hesitation I promised to do so to the extent of answering all questions asked of me.

He had not been gone ten minutes before I saw how I had been made a fool of and repented. The matter troubled me so much that the next day I sent him a letter saying I had no definite opinion of Harpers' Readers; that if possible I would examine them before the meeting; that the matter belonged peculiarly to the County Supt. and I should therefore not attend the meeting unless invited; that if present I should not offer an opinion unless requested to do so; that any opinion I should

give would be entirely based upon the merits of the books. I was not invited and did not attend the meeting of the Board; Harpers' Readers were not introduced into the county schools. The position of Supt. at Evansville has been vacated and has been filled again by the appointment of Mr. John M. Bloss. . . .

Whether success or failure had been the result it would simply have been a bargain and sale of influence where influence should never be bargained and sold. I condemn myself that I was so stupid as not to see this at the first moment in its clearest light as I ought to have done. As it was I had an indistinct idea that somehow it could be done honorably and being somewhat dazzled by his generous offer I had not the backbone to say what I suspected I ought to say instanter. I think my character lacks a little in this respect. It *is* hard at all times to do just right.

Such criticisms of himself however are combined with some very just censure of one of his superiors as appears from the same diary written after he had become superintendent of the public schools in La Porte and the Reverend John T. Kendall had become a member of the school board under which he served.

January 21, 1877.

Mr. Kendall came up to the High School last Thursday and wanted to see me alone. There was no vacant room and he said he would come back when school was out, about four o'clock. I at once concluded that he wanted me to help in some revival meetings now being held by the churches here and when he returned after school I was not disappointed. He sat down by me and placing one hand on my knee said, "I want to have a spiritual talk with you. . . . A great work ought to be done in the schools and you are the one to do it; you and your wife and Mr. Goffe could have a wonderful influence in bringing these souls to Christ." . . .

Mr. Swift replied that he could not see that there was any right on the part of a teacher to do this in the schoolroom. Mr. Kendall replied: "You have a right to speak to a child about his soul wherever he is."

He lost sight of the fact that speaking to a child about his soul is one thing and endeavoring to get the child within the pale of the orthodox church is another thing. All education is for the good of the soul. . . .

I gave a general denial and maintained it although he repeated his declaration several times.

He then said, "Now last Sunday night I watched to see you take a stand on the Lord's side and you didn't do it."

I said, "You may call it being on the Lord's side or not just as you choose, but Mr. Brown (the man whom they have hired to manage the revival) proposed several things to which he wanted all Christians to

assent by standing up; one proposal was that they should attend all of his meetings; knowing that I could not do that I remained seated." . . .

He said, "Now why not?"

I told him I had two reasons, . . . if I should undertake to go out for a series of evenings as in this case would be necessary, I must omit some work which I was paid for doing. . . .

He said "If you had a real love of the work in your heart you'd find a way to go."

I said that might be, but that I did not care to base my refusal to attend solely upon the ground [of] my work, that I should not go if I had plenty of time, that I had seen a number of revivals before and I had carefully thought the matter over and made up my mind that I did not believe in them, that from what I had seen of this I was satisfied it was going to be like those and that I should not attend the meetings.

He said he had never known a Presbyterian or a Baptist to get too much excited over religious matters, that Methodists sometimes did, but that mixing them up made it about right; that his experience in the matter of revivals was greater than mine, that his judgment ought to outweigh mine and he was satisfied they were a good thing.

I said "Mr. Kendall, there is no use debating the matter with me, my mind is firmly made up that no inducement can be offered that will make me go down into those revival meetings and work; I know how to do it, I know what the motions are, but if I should do it with my present feelings, I should be a hypocrite and that I don't intend to be."

Then he said there was another thing he wanted to speak with me about; he wanted the work decreased so that the pupils could attend the meetings.

I said it seemed to me that was a matter for the Board to decide.

He expressed an unwillingness to refer it to the Board.

I said the subject had not before been broached to me and the idea had never occurred to me and at first sight it did not seem to me that I had any right to lower the work of all the children because a part wanted to attend some meetings. . . .

He said, "You needn't let anybody know it; just lower the work and say nothing about it. What harm will there be if when the end of the term comes you have done a little less work than usual?"

I said, "Mr. Kendall, I do not care to do anything that I am afraid to do before all the people in this city, and I should be afraid to do that. What would be thought of me if it should go out through this town that I had reduced the work in the public schools on account of these meetings?" . . .

Twenty-four hours later, the subject appearing to me in the same light, I sent him the following note:

LA PORTE, Jan. 20, 1877.

. . . "It may be, though I doubt it, that the Board would have the right to take some such step as you propose; I certainly have no such right." . . .

As Mr. Kendall is a trustee of the schools, any requests like those above mentioned, in spite of his disavowal, when made to me or any other teacher, must act coercively; for these are matters in which a refusal must almost make it seem, to a minister like Mr. Kendall, a duty to regard the teacher giving it as unfit for his position and no teacher likes to have even one of the three men who control him hold this opinion.

On this account, for want of backbone I might have yielded against my own judgment and against my duty as pointed out by that judgment. It therefore seems to me very improper that he should speak to me or to any other teacher on these religious matters.

But when he urges that the teacher ought to be at work "bringing these souls to Christ" I can in no way reconcile it with his duty as a trustee of public schools whose very success depends upon the non-interference of the teachers with the political and religious opinions of the scholars.

And when he asks me to reduce the work of the higher grades in the interest of revival meetings and "say nothing about it," passing over his duties as a trustee and as a pastor, I am unable to reconcile it with common honesty and upright dealing.

There is a vein, and a large one, of that kind of trickery running all through the modern church. I expect it is a remnant of the old priestcraft. Further, the schoolmaster for ages has been the tool of the priest and it is hard for the priest to give up the control. But it must come, though as yet many people look through the priest's spectacles.

REMOVAL TO INDIANAPOLIS—LAW PRACTICE

He remained in La Porte until July, 1879, when he moved to Indianapolis to embark in the practice of the law. He was not drawn to that profession as a science but chose it because he believed it to be an available way to earn a living with *personal independence* for one who was without capital. When he came to Indianapolis he knew only one man in the city, James H. Smart, the Superintendent of Public Instruction, but he and his wife had accumulated by their joint efforts (for she also had been teaching school) some $2,500 and he could afford to wait a while for clients. Immediately after his arrival he was admitted to the state bar. This meant nothing, however, as evidence of his qualifications, for by the constitution of Indiana, all citizens of full age and good character were entitled to admission whether they had any knowledge of law or not. But a few weeks afterward he presented himself for examination and was admitted to the bar of the Federal court which gave him a higher standing in the profession. Clients were slow in coming. He never pushed himself in business or in any other way, but prepared himself and waited. The following extracts from a diary which he kept in 1881 show vividly and characteristically the kind of life he and his wife led during the first two years while he was gaining a foothold in his profession:

I came to Indianapolis July 7th, 1879. We stayed at Dr. Burgess' two weeks, occupying the rooms of Mr. Smart, the State Superintendent of Public Instruction, he being away for the summer. . . .

At last at the suggestion of Mrs. Burgess we tried living with a family from Connecticut at 71 W. Michigan Street and rented a room from them at $3.50 a month. We then obtained table board at $3.00 a week. I rented Room 2 Hubbard Block for an office at $100 the first year, six months in advance. We furnished the office with part of the home furniture and a few law books and I paid $6.50 for signs and was open for business about August 1, 1879. . . .

Thanksgiving week I made fifty cents, a notary fee and my first money.

About that time too, a young lawyer on the same floor had a case and being in want of help he proposed that I should help him and he keep all the fee. I agreed to this with the understanding that I was to lead in the case. $4,000 were involved. . . .

I made the principal argument on our side and occupied twenty-five minutes. This was the first time I had ever spoken in court. We won the case. This was in Dec. 1879.

He tells us that in his first year he made only $65, in his second year, $250, but that after this his business grew steadily. In his practice, he was, as in other things, not showy, but substantial, a valuable adviser to an excellent class of clients who had money to invest or wills to be drawn, or property to buy for which he examined the abstract and passed upon the title. Knowing the uncertainties of the law, he kept them out of litigation whenever practicable, but once involved he was a thorough student of his cases and prosecuted them to a conclusion which was generally satisfactory. His pleadings were clear and concise, his briefs logical and convincing, his presentation of his case to judge and jury simple, honest and straightforward. He abominated a tricky, bombastic or sensational adversary and a dull and opinionated judge. He was an old-fashioned lawyer and so successful that although he was often unwilling to charge an adequate remuneration for his services he had accumulated a reasonable competence from his practice at the time of the outbreak of the World War. After that he devoted his energies mainly to public duties and to questions in which the welfare of his country or his community were involved.

These reached their culmination in his book *How We Got our Liberties,* published the year before his death, which bears witness to the thoroughness of his previous legal studies. Mr.

J. J. Daniels, one of the present leaders of the Indiana bar, says:

> No one could have written it without a profound understanding of the underlying principles of American constitutional government. Mr. Swift brought to the task of writing this book not only a thorough knowledge of historical events but the point of view of a careful lawyer trained in the study of constitutional law. The chapter on the "American Constitution and the Supreme Court" exhibits a thoughtful consideration of and long acquaintance with many of the most important constitutional decisions of that tribunal. No mere general practitioner could have written that chapter or, indeed, any of the others, such as "Trial by Jury," "Bill of Rights" and "Freedom of Speech." They were written by a lawyer who had devoted much time and thought to a study of the fundamental principles of our jurisprudence.

PART II

CIVIL SERVICE REFORM

THE GARFIELD CAMPAIGN

Mr. Swift's activities on behalf of the merit system began during the Garfield-Hancock campaign in 1880, not long after his arrival in Indianapolis. This was three years before the Civil Service law was enacted and was one year previous to the organization of the National Civil Service Reform League. He was, as far as I have been able to find, the very earliest of the active civil service reformers of Indiana. He gives in his diary an account of his speech on the subject in this campaign:

October 20, 1880

After the nomination of Garfield at Chicago and the defeat of General Grant I felt that every Independent was called upon to do his utmost for the election of the former. He was not a perfect man but he was exceptionally good for the times and his votes and speeches on a large number of questions had been most satisfactory. His letter of acceptance somewhat dampened my ardor for it gave him the appearance of unsaying the many good things he had said in favor of a reform of the civil service. I still, however, thought the chances for good government would be better under him than under Hancock and I therefore called upon Hawkins the chairman of our county Republican committee and offered him my help if he could make use of it. I told him I was an Independent, a scratcher or whatever he might choose to call a man who was not bound by party ties; that I was decidedly in favor of the election of Garfield; that I was willing to make speeches if he needed speakers, but if he did not I had nothing more to say. He treated me politely and took my name, but I left feeling pretty certain that I should hear nothing from him and I have not; he has no use for any one who will not glorify the machine.

October 21

Some two weeks before the election, Mr. A. C. Harris, a lawyer of large practice and excellent standing, came into my office, about four in the afternoon and asked me to go into the country that evening with him and make a speech of thirty or forty minutes. I was glad of the chance and agreed to go. . . . We rode out four miles in the rain and

dense darkness. Coming to the school-house we found about fifteen men there. . . . Harris made a speech of an hour's length. . . . For a party speech he made a sensible one.

Then my turn came. I announced myself as an Independent. If the Democrats had any claim whatever to be put into power it must rest upon their superior administrative ability. This could only be determined by studying their past history and reading the signs of the times. The question of administration involved the consideration of the duties of the 80,000 office-holders who made up the civil service of the general government. The present condition of that service was illustrated by comparing the position of chief engineer of . . . the railroad which extends from Toledo to Chicago with that of postmaster of this city [Indianapolis.] "The engineer has the oversight of 1,400 miles of track and of 700 men; he gets $2,500 a year. The postmaster has the oversight of about 100 men and gets $3,200 a year. The engineer is willing to shoulder greater responsibility and bring greater skill to his work for less money because so long as he meets the business requirements of his position he is sure of holding it. The postmaster's fortune runs parallel with that of a political party. This postoffice is a fair sample of the great bulk of the government offices—that is a precarious tenure requires higher pay . . . Removing all the office-holders when a party in power is defeated is the application of the doctrine of spoils of office. Breaking down this doctrine is civil service reform." Which of the two great parties would the sooner do it was an important question to every Independent.

During the forty years following the adoption of the Constitution only forty-four men were removed from office. Then came Andrew Jackson and in one year [he] removed 990 men and put his partisans in their places. As long as the Democrats remained in power the spoils doctrine gathered strength. . . . Again in this State only last year they turned out of all our benevolent institutions officers of great skill and experience simply because they were Republicans and put inexperienced Democrats in their places. They put in a dentist as superintendent of the Deaf and Dumb Institute, and an ordinary obscure schoolmaster as superintendent of the Institute for the Blind. They swept the trained physicians out of the Insane Hospital and put in ordinary doctors in their places. The superintendent of the Insane Hospital had held the position ten years; that of the Blind Institute (a blind man himself) twenty-four years; that of the Deaf and Dumb Institute twenty-six years; and all were yet in their vigor and were really skillful men. I enlarged fully upon this subject for it was a criminal and barbarous violation of their civil service professions. . . . I intend they shall hear more of it. . . .

The audience including Harris were surprised but did not seem displeased. . . . I know my having made such a speech was talked of . . . *But I was not invited to make another.*

Between the state and the national election Swift wrote to the *Nation* a criticism on the conduct of the campaign. It was published over the signature "C. S. R." October twenty-first. This publication and an editorial comment speaking with warm

commendation of this letter, afforded Mr. Swift great satisfaction.

THE BLAINE-CLEVELAND CAMPAIGN

When, in 1884, the Republican party nominated James G. Blaine for the presidency, his actions in regard to the Fort Smith and Little Rock Railway and his connection with the Mulligan letters, convinced Mr. Swift that he was not a fit man to be President. On the other hand the declarations of the Democratic candidate, Grover Cleveland, and his conduct in supporting the merit system in New York, strongly commended themselves to Mr. Swift who determined to support him.

Although in the East Independents were plentiful enough, in Indiana a Mugwump was very rare. Mr. Swift, however, succeeded in getting together an Indiana Independent Committee of One Hundred of which he was chairman and thereupon he began to canvass the state. On October eighth, he made an important speech at Fort Wayne at the Academy of Music. It was an able and lawyer-like review of the record of Mr. Blaine as Speaker of the House and of the letters which exposed his venality. Mr. Swift also attacked the abuses of political patronage in the hands of Republicans. Afterward he canvassed the state thoroughly, and at the close of the campaign it was found that Cleveland had carried Indiana by about 3,000 majority, that the vote of New York had determined the contest, and that he was to be the next President. Both in Indiana and New York the Mugwump had been an essential factor in winning the battle.

FREIDENKER VEREIN SPEECH

Before Cleveland took office Mr. Swift was invited to deliver before the Freidenker Verein of Indianapolis an address[1]

[1]Mr. Horace White, then the editor of the *New York Evening Post* wrote him as follows:

"I gave Mr. Schurz a copy of your address before the Freidenker Verein. He read it in my presence (he was stopping at my house) with many expressions of satisfaction. He said he had never seen anything better on the subject."

on civil service reform. He accepted the invitation. The address was comprehensive of the whole subject and was afterward widely circulated.

The address opened with a brief account of the workings of the competitive system.

> If there is a letter carrier to be appointed in the Indianapolis post-office, the postmaster may not call together the "workers" of his party and take counsel as to who is the most deserving ward politician, but he must apply to the Civil Service Commission, and out of a list of three names highest on their rolls he must make the appointment. He has no business to know the politics of the men he selects. The names are placed on the rolls of the Civil Service Commission according to the results of an examination held at Indianapolis at least twice a year, at which any one may compete. This is civil service reform in practical operation.
>
> It appears at a glance that there is no "patronage" in such a system of selecting public employes, and if this system is to be extended to embrace nearly all the places, both State and National, filled by appointment, as the "theorists" insist, the perquisites and privileges of the "practical" politicians will indeed be gone. Those who live by their political wits have abundant ground for their present alarm. . . .

He narrated the growth of the spoils system which during the time of Andrew Jackson supplanted the custom of earlier presidents to appoint only meritorious persons and not to discharge employees for political reasons.

> The spoils system thus materialized has thriven and spread until it has reached every corner of nation and state . . . The public offices are not only the spoil of party, but party factions and cliques, and rings, and rings within rings, mercilessly apply the axe to one another. . . .
>
> A man in office may not follow common business principles. He must buy and sell only with those of his political name. But yesterday a baker of this city wrote to the papers complaining roundly that after incessant activity to secure the election of our Democratic sheriff, he is rewarded by seeing the jail fed upon Republican bread. Greed for office knows no shame, cares neither for public nor private welfare, and has no pity. . . .
>
> The federal appointments are patronage which, by the grace of the President, various persons control. Generally speaking these persons are members of Congress belonging to the party in power. But cabinet and other officers and friends, favorites and relatives of the President also have a share. One man may be a greater favorite than another, as Senator Conkling's colleague found in President Grant's time. Disfavor with the President is a serious drawback, as Mr. Conkling himself found in President Garfield's time. . . .
>
> Under the enormous pressure induced by the greed for place, a constant shifting of employes goes on. Take the New York Custom

House—Mr. Schell, a Tammany partisan collector, four years from 1858, removed 389 out of 690 employes. This was in the interest of a faction. Mr. Barney, a Republican collector, in the next three and one-half years removed 525 out of 702 employes. Mr. Draper, also a Republican, succeeded, and made 117 removals in one year. Then Mr. Smythe took his turn, and in three years removed 830 out of 903 officers. Then Mr. Grinnell came, and, in the interest of another Republican faction, ejected 510 out of 892 officers, in sixteen months. "Tom" Murphy had his day, and for his faction turned out 338 officers in eighteen months. If the employes of this Custom House had contempt for their work it certainly was not bred by familiarity with it. . . .

He next discusses the blackmail involved in political assessments and the interference in elections caused by the spoils system, the majorities in many political conventions being composed of office-holders; he contrasts with these things the method of appointment by competitive examinations and shows by illustrations the practical character of these examinations and their successful operation in the New York post-office under Postmaster James, where drunken and worthless employees were supplanted by efficient men and a third more work was done at far less expense. He urged the adoption of a civil service law for Indiana.

THE NATIONAL CIVIL SERVICE REFORM LEAGUE AND THE INDIANA ASSOCIATION

The most important organization for propaganda on behalf of the merit system was (and still is) the National Civil Service Reform League, a body then composed of representatives from various civil service reform associations throughout the country. Its president, in 1885, was George William Curtis, of New York, the editor of *Harper's Weekly*. Other leading spirits in the movement were Carl Schurz, Dorman B. Eaton (who drafted the Pendleton Civil Service Act of 1883), Everett P. Wheeler, Richard H. Dana, Charles J. Bonaparte, E. L. Godkin, editor of the *Nation,* Horace White, editor of the *New York Evening Post,* Edward Cary, one of the editors of the *New York Times,* and later, Theodore Roosevelt.

Mr. Swift had been in correspondence with a number of these men and other supporters of the reform and at a subse-

quent period took an active part in many of the annual meetings of the League.

During the session of the Indiana legislature of 1885, William Dudley Foulke introduced into the Senate a civil service law for the state based upon the Pendleton Act, and supported it by an argument before that body on February 17, 1885. A considerable audience had assembled to hear what could be said in favor of a measure so extraordinary to all Hoosier conceptions of political life, and among those present were Mr. and Mrs. Swift, who there formed their acquaintance with Mr. Foulke and laid the foundations of a close and lifelong friendship. The bill, as was expected, failed to pass but with it there began an agitation against the use of spoils in public office in Indiana which lasted for many years.

Shortly after this, the Indiana Civil Service Reform Association was organized and Mr. Swift was made chairman of its executive committee. It immediately became affiliated with the National League. Its membership was not large; it held its annual meetings in one of the rooms of Plymouth Church in Indianapolis and its work was mainly done through the executive committee and special committees appointed to make investigations. But there was finally developed a wide-spread public interest in the result of its work and abundant space was soon accorded to its proceedings in the newspapers of the state and elsewhere.

SWIFT'S INVESTIGATION OF THE FEDERAL CIVIL SERVICE

Mr. Swift as chairman of the executive committee conducted in person an exhaustive inquiry into the condition of the whole federal civil service in the state. His report which was adopted by the committee in October, 1886, contained fifty-three pages in small type, the results of several months' labor. He first called attention to the declaration of President Cleveland that "positions disconnected with the policy of the administration should be free from removals upon merely partisan grounds but that those who used their places for party purposes and

instead of being decent public servants were *offensive partisans* and unscrupulous manipulators of local party management must be taught, *as well as their successors* that efficiency, fitness and devotion to public duty were the conditions of their continuance in office." Soon a definition of what constituted "offensive partisanship" appeared in a circular of Postmaster General William F. Vilas, dated, April 29, 1885. There were eight specifications: having been an editor or proprietor of an offensive Republican newspaper, a stump speaker, a member of a political committee, an officer of a campaign club, an organizer of political meetings, having made one's office political headquarters, having put one's clerks into the performance of political duties, or possibly other acts of equal force. These definitions of offensiveness gave wide latitude in making political removals and appointments.

In the light of these declarations of the principles and policy of the administration, Mr. Swift considered first, the enforcement of the civil service law in the one office in Indiana to which it applied, namely the Indianapolis post-office, and secondly, the character of the appointments and removals which were not governed by the Act but were subject to the principles announced in the letters of Mr. Cleveland and Mr. Vilas.[1]

The report shows that Aquilla Jones took charge of the Indianapolis post-office, April 19, 1885. He at once removed the assistant postmaster, cashier, stamp clerk, messenger, superintendents of the registry department and carriers, and filled their places with Democrats. The assistant postmaster was John W. Dodd, an obscure and reduced politician. The cashier was the postmaster's son, Ben Jones. Dodd and Jones were both appointed to fill the place of one man. In the sack repair department every man and woman, within a few weeks, was dismissed and succeeded by a Democrat. The janitors, watchman, engineer and elevator boy followed.

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[1]Mr. Vilas had written to Mr. Swift in September, 1885: "I hope I shall ever be as willing to remove an unfit person when appointed by me as if he had been found in the service as I took it." But his refusal to remove James Dowling, a politician who confessed he had been guilty of bribery, placed the Postmaster General in a serious predicament. (See Appendix A, "Postmaster General Vilas and the Dowling Case.")

Mr. Jones said, "I made such removals for no other reasons than that the persons were Republicans." The men appointed by him were active political workers; their names and acts of partisanship were specified. In the classified service, too, men were wantonly removed for the purpose of making room for Democrats. None but Democrats were appointed. Charles W. Riggs, who had passed the examination, asked if there was any prospect of appointment and Jones answered, "Who did you vote for at the last election?" Henry C. Green asked if any Republicans would be appointed and Jones answered, "No." A new examination was held almost immediately, although there were many eligibles remaining from an examination made shortly before Mr. Jones took office. Mr. Jones said that no Republicans passed this new examination!

Removals began in good earnest. Willis G. Wood was turned off and Jones told him that he had no objection to him personally but that he had promised his place to another. Jones told Louis Howland and Swift that he would not appoint Republicans, no matter how high they stood. Oscar P. Hoover had to leave because, as Jones said, he was going to make places for others, it made no difference whether this was a violation of the civil service law; Jones told Will E. Tousey that he had no complaint; that all he wanted was the position.

He told M. A. Lockwood: "You are all going anyway; I have kept all of you longer than I wanted to; summer has come now and you can make a living and I want you all to get out of here."

At another time, Dodd, the assistant postmaster, said: "There are no charges at all. You have always done your work well but we want your place for a Democrat. The party pressure outside is actually causing removal of some men I think more of than the men that take their places."

To Gustav Schmedel, Jones said, "I have no complaint to make, only I have a Democrat whom I wish to put in your place."

Dodd said: "If we begin to make promises to keep carriers we shall have no places for our political friends." Dodd gave

Levi Hand this reason for his dismissal: "We want your place for a Democrat; we have got to begin somewhere so we begin with you." To Oliver P. McLeland he said, "It is better for the boys to resign than to have us trump up charges against them."

Still, charges were often made.

Charles P. Sample was discharged because he owed a debt of ten dollars for a cloak for his sister, while Harry Crane, appointed by Jones, was retained, though he owed forty-seven dollars. Jones told the widow to whom he owed the money that he had no power to turn Crane off if he didn't pay.

Sometimes charges were preferred *ex post facto,* as in the case of Oscar N. Wilmington who was removed without charges, but when an investigation was demanded, a false accusation was made that he had acted as a Republican challenger at the last presidential election.[1] . . . Henry R. Browning, one of the Democratic appointees, worked actively at a primary, made motions

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[1] Mr. Swift afterward in testimony before a Senate investigating committee, September 13, 1888 (*Senate Reports,* 1888, X, Part IV, p. 74) thus describes the details of the Wilmington case:

. . . There is another case, that of a man named Wilmington, who had been a soldier and had been in the post-office service in Indianapolis thirteen years. He was not a politician, and had confined himself simply to voting and attention to his duties. In the original complaint made by the Independents to President Cleveland, which I delivered to the President in person, we claimed that Mr. Jones, in opposition to the President's repeated promises that men should be retained for efficiency, had discharged, among others, this one efficient man without cause.

Q. You presented that complaint, after investigation, to the President?—A. Yes, Sir.

Q. Yourself?—A. Yes, sir; in person. And the President turned that part of the complaint over to the Civil Service Commission and they came out to Indianapolis to investigate; and Mr. Jones then, although he had told myself and Mr. Louis Howland, who was a member, or one of the officers of the Independent organization, that he had nothing whatever against Wilmington; that he had discharged him because he had promised this place to another man; yet after the Civil Service Commission came out to Indianapolis he evidently got frightened and began to look up causes. So he got six men to sign a statement that Wilmington had been a challenger at the polls at the election when President Cleveland was elected, and that statement was shown to me. I took it and went with Mr. Howland up to Wilmington, and found him working upon a building as a carpenter. He at once got down one of the signers of the statement from the building, and the signer immediately said that he did not say that he had been a challenger, did not mean to say that, and had signed the statement without reading it. I then took the statement around to another signer, who lived in that neighborhood, a man named France, whom I know well. He said they came to him to get him to sign, and he signed without knowing what the statement contained. That is my recollection of his reply, and that is put into the report. They told him it would be kept quiet at any rate, and so he signed the statement. We brought before the Civil Service Commissioner the actual challenger that was at that particular precinct where Wilmington was charged to have been, and we brought the two committeemen and proved conclusively that Wilmington was not at that polling place except about fifteen minutes about noon, when he went there to vote, and then after he voted stood on the outside of the crowd. So that the statement that he had been there all day was disproved by the facts. Yet nothing has ever been done or said in the way of apology to Mr. Wilmington, and neither has he been reinstated.

Q. Do you know what treatment the Commission gave that case?—A. They refused to let any of us read the evidence; I have never seen it.

and speeches and had a fight with J. F. Hennessey, yet remained in office.

There were many curious characters among the new appointees, for instance, a negro, Alfred Harrison, whose autograph letter promised to let a client's suit go by default in consideration of ten dollars to be paid in advance. Charles Noe was detected stealing registered letters, pleaded guilty and was sentenced. Another carrier who passed the examination creditably could not read the superscription of his letters. He had to be removed from his route and set to collecting mail. He was a politician of long standing. Another carrier was appointed who misdelivered a letter to Dr. Frank C. Ferguson, and when complaint was made answered, "I leave just such mail here as I like; if you don't like it you may go to hell." That man was retained.

In the unclassified service all were removed and succeeded by Democrats; and in the classified service, of 71 former incumbents 36 had been forced out, while 43 Democrats had been appointed.[1] The effect upon the service had been most injurious. Complaints of letters misdirected, engagements lost, of important mail matter misdelivered occurred almost every day.

The *Labor Signal* said: "Every week we have numerous complaints from subscribers who failed to receive their paper. We know that copies of the paper plainly addressed have been found among the waste in the basement of the office." The janitor who disclosed this fact, however, was severely rebuked by Jones, and told that he must not tell outside what happened within. Sellers of the *Peddlers' Exchange,* hauled waste paper from the post-office, and in sorting it found a draft for $1,000, another smaller draft and large packages of unopened letters, 200 at one time and 100 at another which they returned to the office, and were cautioned to say nothing about it. Jones discontinued the sale of waste paper to the firm which made such discoveries. The enumeration of instances of deterioration in the service could be prolonged indefinitely. Mr. Jones said publicly of the law, "I despise it." Why then was he permitted to remain there to nullify it?

[1] By September 13, 1888, all the Republicans had gone except nine. (See Swift's testimony before Senate Committee.)

But the administration of the Indianapolis post-office, bad as it was, continued Mr. Swift, was better than the remaining civil service in Indiana which he next described.

Page after page of his long report was filled with illustrations of office-holders whose appointments were due to Congressmen Howard, Lamb, Lowry, Matson, Holman, Bynum and others taking the most active and often the most unscrupulous part in proceedings for the renomination of these congressmen. The character of some appointees was so bad that the Democratic *Sentinel,* in an editorial, was constrained to cry, "Halt," and to protest against the appointment of criminals and jail-birds and ask that honest Democrats be given a chance. In some instances complaints had been made to the Postmaster General and to the President, but without effect. A long list was also given of Democratic editors who were appointed to various places in the government service, a thing which had been cause of removal for Republican editors.

Mr. Swift thus concluded his report:

> Regarding the Pendleton act, the President said: "My conception . . . of public duty requires that this . . . should be in good *faith* and *without evasion* enforced and . . . I have in effect *promised* the people that this should be done." Yet in the Indianapolis postoffice, the only office in Indiana within the Pendleton act, that law has been completely and faithlessly evaded and nullified.
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> With regard to removals, the President said "They should not be made during the terms for which they (the incumbents) are appointed solely on partisan grounds for the purpose of putting in their places those who are in political accord with the appointing power." Yet the displacement of former employees by those in political accord with the appointing power has, in this State, using the words of Mr. Hendricks, in 1876, been a "remorseless proscription for political opinions."
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> Speaking of former partisan officials, the President said: "Such officials, *as well as their successors,* should be taught that efficiency, fitness and devotion to public duty are the *conditions of their continuance in public place.*" Yet their successors have been platoons and companies of "unscrupulous manipulators of local party management."
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> The President said of many former incumbents that "they had *forfeited all just claims to retention* . . . because instead of being decent public servants they have proved themselves offensive partisans and unscrupulous manipulators of local party management." Yet of the hundreds of their successors who in Indiana have impudently and brazenly manipulated the local party machine, not one has forfeited his place.
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> The President said: "Selections for office not embraced within the civil service rules will be based upon sufficient *inquiry as to fitness.*"

Yet the places in Indiana have been given out as the booty of congressmen in disregard of fitness. . . .

The President said, October 30, 1884: "There should be no mistake about this contest. It is an attempt to break down the barriers of the people of the United States and those that rule them. *The people are bound down by a class of office holders.* . . ." Yet this year, in six congressional districts of this State, the Federal office holders have, without hindrance or rebuke, thwarted the will of the people.

It is not a pleasant task for those civil service reformers who had a steadfast faith that every promise would be kept to examine the work done and report the truth; but their sincerity is on trial. Besides to stand silent now would impose silence when some other party succeeds to the national administration. The truth must be stated plainly. In Indiana civil service reform has been disgraced and made contemptible."

It is submitted that this report and its summary of the evidence is a model for investigators today. The matters set forth in it were a fair sample of the conditions prevailing not merely in Indiana but in some other parts of the country at the time of Mr. Cleveland's first administration.

ACTION OF THE CIVIL SERVICE LEAGUE

The eastern Mugwumps had heard that complaints had been made of the Administration's conduct of the civil service and a conference had been called in New York by the executive committee of the National Civil Service Reform League. Mr. Swift, who attended, thus describes what happened in three letters to his wife:

NEW YORK, April 30, 1886.

. . . I went to the Victoria Hotel and found Carl Schurz with representatives from Boston, Cambridge, Philadelphia, Baltimore and New York. The men were all young. John F. Andrews of Boston, a son of the old Governor, was made chairman and explained that Massachusetts was well satisfied with Cleveland and could not understand the criticisms in Indiana and Maryland and the League had therefore called this meeting. I was asked to tell about Indiana and I told a plain unvarnished tale and it is no exaggeration to say that Massachusetts was struck dumb and from that time to the end had nothing to say except that something must be done.

Then Maryland told her story but it did not make the same impression because they did not dwell upon the classified service to which I mostly confined myself.

Another letter follows:

I went to the meeting last night. . . . Carl Schurz offered a resolution for appointing a committee of seven to find out how the civil service law was being carried out and other things; this resolution was passed and then I was called upon to tell about Indiana again. . . . I got in the Dowling story on Vilas and was satisfied wtih the chance I had to make a clean breast of the whole business. . . .

. . . Everett P. Wheeler then got up after others had made some general remarks and deprecated doing anything that would embarrass the President. . . . Horace White in the meantime came over and shook hands. . . . As he went away he said "You have the Black Hole of Calcutta out in Indiana." My blood was thoroughly up owing to the speeches just made and for ten minutes I laid down to them our duty and the President's duty in terms I think they understood. After I was done I was afraid I had been too plain but the meeting soon after adjourned and Curtis came over to me very cordially and said "You said just the right thing" and Carl Schurz, "You hit the nail exactly on the head." On all hands I was congratulated. . . . Carl Schurz walked up with me to 36th Street and then I learned that we are no whit ahead of him and White and Curtis in our feeling toward Cleveland, only we have spoken out and they have not. But the time is coming. . . .

And again, in a third letter:

My final interview was with Carl Schurz at his rooms in the Spanish Flats. His tone in regard to Cleveland was one of bitter disappointment. He fairly groaned in spirit. He, I think, feels that more than any one else he is responsible for Cleveland's election and to see Cleveland fail in vital matters is as though a personal insult was offered. . . .

The League, however, was slow in acting. At its annual meeting in Newport in August, 1886, its Committee of Seven reported that a large amount of material had been collected but so recently that it had been impossible to prepare a report. The resolutions (mildly stating that the League had seen with regret that many appointments and removals had been made at the solicitation of Congressmen in violation of reform principles) were themselves referred to this special committee.

At a later period, after the facts had been clearly shown, the League's criticisms of Cleveland were vigorous and explicit.

SWIFT'S INTERVIEW WITH CLEVELAND

Swift was not satisfied to collect the facts and report them to the Indiana Association or to discuss them with the eastern

reformers. He submitted them in person to President Cleveland. He thus describes the interview in a letter to his wife:

July 16, '85.

. . . The President sat at a tremendous desk covered with papers. It stood at the end of the room and the window looked on the Potomac. A breeze was blowing through and the President had but to swing his chair to see at any moment a magnificent view outside. His desk was perhaps fifteen feet from the door. He was at work and did not look up until I had reached the corner of the desk. . . . I sat down and stated the object of my coming. I saw instantly that I would get a fair hearing. There is not a particle of coarseness about his face. There is no such fatness as I had been led to expect. As I saw him there was not the least thing disagreeable in his appearance. His whole manner was one of great kindliness and perfectly calm and judicial fairness. We talked three-quarters of an hour. As I stated in a sentence the object of the petition, he said, "Let me see; that is the man I appointed isn't he?—Jones?" He then asked for the violations complained of. I told him and he asked, "How can the postmaster know the politics of any four men who may be certified to him?" I replied that in a town the size of Indianapolis every man was known and the postmaster does nothing except after full consideration with his partisans. I also recited Jones' language. The President said, "I can see that if four men are certified to a postmaster and he happens to know that one is a Democrat and takes him, it would be impossible to prevent that. But this case is entirely different. Here is a postmaster who says that under no circumstances will he appoint a Republican. That is clearly wrong." He repeated this three or four times during the talk.

After a little he asked for the petition and began to hunt for the facts, saying, "I want to find what facts you have set up." I showed him where they began. He went rapidly. Then suddenly, "Has he put his *son* in there?" Then, "He has put in a minister. Who is the Rev. Oliver H. Perry Abbott?" There was a good deal of *tone* in this. "What about this nephew of the Vice-president? Has he put in *two* sons?" I explained and he shook his head saying, "That is bad; he ought not to do that." . . . He thus went through the paper and at each allegation gave me full chance to comment and asked repeated questions. He was very quiet, very judicial and only by the least shade of tone could I tell the effect upon him. I got in about everything we had thought of and a good deal more and it gave me great satisfaction to quietly skin the Vice-President.[1] We then ran upon general matters. He repeated what I had somewhere said that we must go judiciously in the matter of civil service reform; he added that the Republicans would not support him because he was a Democrat; that he must take as many of his own party with him as he could and not put himself where he would have no party and so fall between two stools. He asked about the people of Indiana and gave me the floor for a full expression. In answer to his statement about taking his party with him, I said that in any contest over the spoils system which he might have with the politicians there would be no question as to the result. He broke in, "That has nothing to do with it. We must find out what is right and do it regardless of result."

[1] Thomas A. Hendricks, of Indiana, an old-fashioned spoilsman.

This is a mere outline. Of course he did not say what he would do with our petition but he gave such intimation that coming from a judge I should know I had won my case.

Mr. Swift, however, had not won his case.

A ONE-SIDED "INVESTIGATION"

President Cleveland very naturally and properly referred the petition (so far as it related to the classified service) to the Civil Service Commission, then composed of Dorman B. Eaton, John M. Gregory and Leroy D. Thoman. The Commission sent Commissioner Thoman with Chief Examiner Charles Lyman to Indianapolis to investigate. But the investigators were impressed with the need of exonerating the President in his appointment of Postmaster Jones. They did not notify Mr. Swift or any of the petitioners of their presence and they would not allow them to be represented or even to be present at the examination. Mr. Swift, who sought them out, found Thoman in close consultation with Joseph E. McDonald, a former Democratic senator from Indiana, and Lyman with Hughes East, a prominent politician and private secretary to Vice-President Hendricks.[1]

Mr. Swift says:[2]

We spent much time upon the postoffice curb while the investigation was going on and at last the spokesman told me that the Commission would ask of the outsiders such questions as it wanted answered and no further statement would be allowed. We were finally admitted, one at a time and answered the questions asked. We were not informed what explanations the postoffice officials had made of their various acts, except in a single instance and that was a clumsy falsehood easily refuted. This was done in writing.

And again:[3]

"I asked Mr. Thoman if I could be present when the witnesses were making their statements. He refused. I asked him if I could know what they were stating before the commission, and he refused again. . . .

1 *Senate Reports*, 1888, X, Part IV, pp. 90, 91.
2 MS. Speech, 1917.
3 *Senate Reports*, 1888, X, Part IV, p. 91.

The commission made a report in which they said Mr. Jones had bad ideas, but had intended to do no wrong; did not understand the law, and would do better in future. That is the sum and substance of the report."

The report of the investigation was published in Washington and was a whitewash. The struggle for honest enforcement of the law in this office was not dropped but went on steadily for four years and it was completely unsuccessful.[1]

The President's administration had evidently been over-protected by his too subservient "investigators" and was put in a worse plight than before in the eyes of the public.

SWIFT'S TESTIMONY BEFORE A SENATE COMMITTEE

Mr. Swift's efforts obtained wide-spread publicity when, on September 13, 1888, he was summoned as a witness before a select committee of the United States Senate appointed to investigate the Federal Civil Service. The reason for the call was explained in his testimony. Having stated that he knew well Mr. W. D. Foulke who had appeared before the committee earlier in the year and that he had seen the printed report of Mr. Foulke's testimony he added:[2]

Later than that I saw in the Indianapolis Sentinel, I think, that Senator Blackburn had made some strictures upon his statement, and had characterized it with an intimation that he had perjured himself. I saw that statement somewhere in some paper, and also that Senator Blackburn had charged Mr. Foulke with being a tramp. I indicated to Mr. Foulke that I should be willing to be examined upon the matter connected with my report which he had put in, and I suppose that accounts for my being here.

Mr. Swift introduced as part of his evidence his report on the Indianapolis post-office together with another report showing additional arbitrary removals of Republicans and the retention of John R. Tompkins, a Democratic clerk who had been convicted on a plea of guilty of giving liquor to a thirteen-year-old girl. In this report he said:[3]

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1 MS. Speech, 1917.
2 *Senate Reports*, 1888, X, Part IV, p. 65.
3 *Ibid.*, p. 70.

Comment can not add anything to these cases. They are simply additional examples of the brazen shamelessness with which Postmaster Jones, in violation of his oath of office and of the law, has worked out all but twelve of the former employes, and in every case has worked in and kept in his partisans. He started in by saying that he would not appoint Republicans in the classified service, no matter how high they stood on examination, and he never has. He started in by saying publicly of the law, "I despise it," and without hindrance he has literally spewed it out of his post-office.

Mr. Swift in his testimony gave some amusing instances of the diverse ways in which "offensive partisanship" operated, depending upon whether it was Republican or Democratic partisanship.

After his testimony was concluded Swift in a letter to his wife thus described what happened:

I finished my examination this afternoon. It was a tame affair, for Senator Blackburn (the Democratic leader on the committee who had ridiculed the charges made) could not be found although hunted for everywhere for two days past. . . . Senator Blodgett gave me a mild cross examination but I think did little damage.

But Blackburn afterwards emerged from his obscurity in a minority report in which he said (without having been present at the meetings):

The only two persons, misnamed witnesses, who came to assist the committee and whose remarks and exhibits submitted to it comprehend the entire "investigation" of the civil service in Indiana were William Dudley Foulke, who had testified previously and L. B. Swift, neither of whom spoke from personal knowledge and neither of whom could testify to the truth or falsity of the charges made.

On October tenth the committee reported. It confirmed the truth of Mr. Swift's statements as well as those of Mr. Foulke. The abuses disclosed, together with those which had occurred in other states and the vigorous final criticisms by the National Civil Service Reform League, of Mr. Cleveland's shortcomings, had a very considerable influence on public opinion in the campaign for the Presidency and were undoubtedly among the factors which led to his defeat.

INDIANA HOSPITAL FOR THE INSANE

But Mr. Swift's activities in regard to the Federal Service were not the only work of the Indiana Civil Service Reform Association. Investigation was made of the administration of the Hospital for the Insane, at Indianapolis, which had been turned over by the Democratic legislature of 1883 to the care of politicians elected by themselves. Horrible scandals and abuses had been disclosed in its management; corrupt contracts, vile food, maggotty butter, pork fed to the patients from a drove of hogs dying of cholera, abuse of the insane by brutal caretakers, all sorts of atrocities leading sometimes to the death of the helpless victims. These were published by the Association and so stirred the people of Indiana that in the election of 1884 the Republicans regained control of the state government and of the House of Representatives in the legislature, but owing to the Democratic members in the Senate who "held over" from the previous session, that body still remained Democratic. Two legislative investigations were instituted: one by the Republican House, to inquire into the abuses, the other by the Democratic Senate to "whitewash" the corrupt administration. Mr. Swift volunteered to take charge of the House investigation. He examined witnesses for three weeks and took 1335 pages of testimony. A crushing report was made of the terrible conditions in the hospital.[1]

1This report, based upon the evidence introduced mainly by Mr. Swift, declared that the state senators and representatives who had been most influential in the passage of the so called "Brown Bill" (by which control of the Hospital for the Insane had been assigned to Democratic politicians) were rewarded by places for their relatives and friends. (*Report of Committee of the House of Representatives on the Hospital for the Insane*, 1887, pp. 5, 420.) The report says that the passage of the bill was in part at least a matter of bargain and sale, corruptly brought about by promises and inducements of the most reprehensible character made by Dr. Harrison who became President of the Board of Trustees (p. 5). Gapen, another trustee, appropriated a check for $64.67 (p. 9) and drew pay for eleven months during which he was absent in Arkansas. *All* the officers and employees were Democrats. Six hundred and forty-eight changes in the force were made within four years and the average term of service was two years and one month. Fully one half of the appointments were upon the recommendation of legislators (p. 11). Many ignorant and brutal attendants were selected and physicians without experience. Hall, the bookkeeper, did not keep the books and lacked the necessary knowledge to pass upon the supplies delivered.

There were great numbers of cruelties committed upon the patients. Some were knocked down, struck with a club, kicked over a fence, teased, jumped on or otherwise maltreated. There were thirty-five "elopements" between July 3 and August 29, 1886. Some of those who escaped were never recovered. One wandered about the country several weeks and then died. The highest price was

The immediate removal of the trustees was recommended and the placing of the management of the Asylum in the hands of a non-partisan board with rigid examinations of applicants and a rule forbidding employees to take part in politics other than to vote. The report was signed by the Republican majority of five on the committee (pp. 21, 22, 23). The three Democratic members made a minority report attacking the good faith of the prosecution, insisting that the management had been attentive, conscientious, humane, economical and efficient! The claim of the minority that the investigation was to afford "an opportunity to procure for the Republican party at least a portion of the places" was diverting, coming from those who insisted that Democrats should have them all! (p. 34.)

The House of Representatives accordingly concurred in the majority report.

Owing however to the unwillingness of the Democratic majority in the Senate to remove the place-holders of their own creation, no bill could be passed and nothing was then accomplished. Mr. Swift did his work without compensation, the only result to him being the loss of a valuable client involved in these irregularities.[1]

1In an address before the National Conference of Charities and Corrections in Grand Rapids, in June, 1896, Mr. Swift thus speaks of his investigation:

"Some years ago, the General Assembly of Indiana was the scene of a busy struggle to secure the reorganization of the benevolent institutions of the State. No demand of public business nor any condition of the institutions themselves called for the change. The attacking force was a well-organized band, a faction of the party already in possession, its object was the capture of the places. The bill became a law, and its promoters who had for weeks constituted the 'third house' of the General Assembly, gave a dinner in celebration, and then as members of boards, superintendents, stewards and so on, went into enjoyment of the captured spoils.

"Some four years later, it fell to me to assist in an investigation of the State Hospital for the Insane at Indianapolis, made by a House committee of the General Assembly. The investigation occupied three weeks.

"The hospital was beautifully situated, with male and female departments

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paid to favored contractors for the poorest goods. John E. Sullivan, a Democratic politician and worker for the Brown Bill, was preferred over far lower bidders and his oleomargarine was accepted as creamery butter. Often goods were purchased without advertising as required by law. The daily reports of the officers showed the butter and other articles furnished to the patients was very bad (pp. 17, 212, 219). Hogs were slaughtered for the table, taken out of the same pen in which others were dying of cholera (p. 18). They were diseased when received at the asylum. Two or three hundred of them died (p. 64). The iron in eight new boilers ordered for the hospital in 1885, was rotten and unsafe to the knowledge of the trustees; the engineer of the asylum, Mr. Stacey, was dismissed when he protested. Some of them had to be patched before they left the shop and many afterwards. Streams of water poured through when subjected to a hydrostatic test. They were unsafe and the lives of the inmates were placed in jeopardy. The financial reports of the trustees omitted $10,000 unliquidated indebtedness. Money was collected from employees for campaign purposes and the hospital was run as a political machine.

The abuses however were so flagrant that at a later period (1889) the guilty men were displaced by the legislature and still later, this hospital as well as the other benevolent institutions of the state, were conducted upon a non-partisan basis.

Mr. Swift at the annual meeting of the National Civil Service Reform League at Milwaukee, December 14-15, 1905, thus reports their condition:

> The boards of control now represent both political parties and are appointed by the governor and may, under certain conditions be removed by him. Yet when parties change in the State government, the boards are not changed, and it is now difficult to get an employee out of one of these institutions by reason of politics or to get a new employee in on the same ground. With things as they are, when we speak of the necessity of a civil service law, people point to the State institutions and ask what more we can want since we already have practically the merit system. But it will be observed that everything is practically under the control of the governor and if sometime we should have a governor like our old friend, Tom Taggart, we might get a lesson as to what a governor could do, unrestrained by a civil service law. It may be that we shall have to endure the wreck and ruin which some governor might cause before we can secure such a law.

"AMERICAN FEUDALISM"

On April 17, 1888, Mr. Swift delivered before the Tuesday Club at Richmond, Indiana, a crushing philippic upon the spoils system which he entitled "American Feudalism." In this he draws the following impressive analogy between that system and the feudalism of the Middle Ages:

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in great separate buildings standing in ample and shady grounds. Its board had the disposal of about $300,000 a year. Yet in this modern environment, with ample funds which made possible the application of the most humane and enlightened principles of the nineteenth century, the place was honey-combed with mediæval notions and practices,—unsympathetic, cruel, barbarous and corrupt. Every employee, the doctor, the ward attendant, the clerk, the carpenter, the washerwoman, must not only bear the party stamp, but must be of the faction which had captured the hospital; and so fierce was the demand for a share, that in the 350 places we found there had been 648 changes in four years. Along the same line the contracts for supplies, with few exceptions, had been let to those who had helped in the capture or who had obtained some later hold upon the board. As might have been expected, we found an untold amount of misery inflicted upon the thousand helpless inmates by this aggregation of inexperience and knavery. Not one of the employees had an incentive to do well, for his place was not secured by merit nor held by efficiency. Physical force, not infrequently assisted by blows, sometimes with the club, was the quick resort of inexperience and inefficiency and, in some cases, was carried to extreme cruelty. Contracts were made and prices were paid for the best articles: yet, through the steward's office there was an endless procession of supplies foreign to the contracts—decayed meats, decayed butter, decayed vegetables, hogs infected with cholera, shelf-worn goods and so on. The whirlwind had been thoroughly reaped." [Proceedings of the National Conference of Charities and Corrections, 23rd annual session, Grand Rapids, Michigan, June, 1896, p. 391.]

I turn to the law student's first book, the "Commentaries of Blackstone" and there I find: "Large districts or parcels of land were allotted by the conquering generals to the superior officers of the army, and by them dealt out again in smaller parcels or allotments to the inferior officers and most deserving soldiers. . . . The condition of holding the lands thus given was that the possessor should do service faithfully both at home and in the wars, to him by whom they were given," and, on breach of this condition, "by not performing the stipulated service, or by deserting his lord in battle," the lands reverted to the lord. The vassal, upon investiture, took an oath of fealty to the lord, and in addition did homage "openly and humbly kneeling, being ungirt, uncovered and holding up his hands, both together, between those of his lord, who sat before him, and there professing that he did become his *man* from that day forth, of life and limb and earthly honor, and then he received a kiss from his lord."

"Services were free and base. Free service was to pay a sum of money, or serve under the lord in war. Base service was to plow the lord's land, to make his hedge or carry out his dung."

When it is proposed that public employment shall be given out and held upon the rule of fitness of the employe, the politician attempts to divert attention from himself by soberly telling the people to look out for an aristocracy of office-holders. We have now an aristocracy of office-holders. Congressional districts are yielded by the victorious Presidential candidate to the Congressmen of his party, and by them dealt out again, in smaller parcels to the inferior managers and most zealous workers. The condition of drawing the wages thus given from the common treasury of the people, is that the wage-receiving party-worker shall do service faithfully both between and during campaigns to that Congressman by whom they were given. And on breach of this condition, by not performing the stipulated service or deserting his Congressman in a campaign, the holding reverts to the Congressman. The applicant who asks his Congressman to allot to him a portion from the public treasury, as effectually as the ungirt, uncovered, kneeling, feudal henchman takes his oath to become his Congressman's man from that day forth, of political life and political honor.

And what shall be said of the services? When a place-holder stays off his railway run four weeks to set up primaries for his Congressman; when a place-holder, for his Congressman, stuffs a ballot-box at a primary; when a place-holder, raving for his Congressman in a convention, challenges an opponent to personal encounter, does he not plow his lord's land, and make his hedge, and carry out his dung?

Following the facts from one to another in logical order, we can not escape the inevitable conclusion. The lineal descendant of the feudal system is an incubus resting to-day upon the United States and it is rooted in every part of our political system. The feudal baron looked over the territory allotted to him and thought and planned, not how he might make the burdens of the people light, nor how he might contribute to the good government of the realm, but what men, if given holdings upon a bond of allegiance to him, would best help him to keep what he had and get more. In exactly the same spirit the Congressman-elect views his territory and assigns men to positions. And as the baron viewed, coveted, over-ran and conquered the possessions of his neighbors, so here and there a Mahone, or a Gorman, overcomes his fellow Congressmen and solely upon the consolidated distribution of spoils

becomes a powerful national factor, overcoming, as Gorman has, all good intentions of the President, and constantly threatening and hindering the well-ordered progress of affairs. And when we see place-holders, paid by the people, altering registration lists, stuffing ballot-boxes, setting up delegations, bullying conventions, being hauled drunk in a mail car, or turning sick Indian children out to snow and death, it is the glory of Congressmen marching by. . . . These place-holding henchmen are the most contemptible slaves on earth. They are deprived of free speech, free action, and a free vote. Night and day, in sun and rain, they are their over-lord's *men* of political life and political honor. No slave-driver's whip ever drove a gang so quickly to their posts or hunted them through the cotton field or rice swamp, as does this power of a Congressman to snatch the bread between the hand and the mouth of a henchman, drive him to dirtying the pool of the primary, the convention and the election. . . .

Turning the offices over to be distributed by Congressmen is the barrier to a proper transaction of the public business, and while this power exists this barrier will be insurmountable. And with whom is the fault of maintaining this insurmountable barrier? It must be laid with the President and his predecessors in that office. He has but to resume his manhood, his official dignity, and his constitutional authority. Let him take a scourge and drive the office-changers out of his constitutional temple and the road to resting government employment upon business principles will become smooth and straight. And when the managers of the party machine threaten, when they refuse to confirm his nominations or make appropriations, what will happen? Let the issue be clearly understood and the spectacle of a strong man contending single-handed against this marauding band will be a sight that will stir the noblest instincts of the American nation. Let the President, by his acts, say that he is the constitutional President of the United States, instead of being the bullied buffet of Congressmen, and the people will say, amen. A party machine may pronounce against him, but his country will forever crown him with her approbation. What shall it profit a man to gain a re-election through Congressmen and lose the respect of history? Rather, let him stand as a conscientious officer, not flinching at his duty, and as the first great leader in the irrepressible conflict which is to end in the complete overthrow of the spoils system. . . .

There is, in the constitution, the power of appointment and the implied power of removal. Think a moment how the people who made the constitution must have intended that power to be used. Did they intend that the President should put in his friends to strengthen his fortunes? That is a kingly power and they despised kings. Did they intend that Congressmen should use it to cover domains with henchmen bound to them? That is a feudal power, and in that very constitution they said that no order of nobility should be created by the United States. To say that they could have intended any motive to prompt the exercise of this power, except solely the desire for the work to be done is to say that they introduced into the constitution the principle of despotism. Hear James Madison "I contend that the wanton removal of meritorious officers would subject him [the President] to impeachment and removal from his own high trust." . . .

The evil structure founded by Jackson[1] must be destroyed from turret to foundation-stone. Congressmen who keep themselves up by planting their feet upon the necks of public servants, must be made odious and must be brought down. The constitution must be reestablished; and any President who does not do this is faithless to the highest duty of his office.[2]

No patriotic American familiar with the history of the patronage system can read these stirring words without being convinced that they deserve an honorable place in the standard literature of our country.

George William Curtis wrote Swift, May 12, 1888:

I am very much obliged to you or some other kind friend for a copy of your address upon American Feudalism and for one I thank you most sincerely for so powerful a presentation of the facts. There is no more forcible statement of the odious system and its danger known to me and I look upon it as one of the most significant and encouraging signs of the times that such a word should be spoken in Indiana.

THE HARRISON CAMPAIGN

In the summer of 1888, Cleveland was renominated by the Democrats and Benjamin Harrison by the Republicans. The Republican platform gave the strongest possible assurances for the enforcement of the law, the extension of the classified system to all places to which it was applicable, and promised that the spirit and purpose of the reform should be observed in all executive appointments and all laws inconsistent with it repealed. Before Harrison wrote his letter of acceptance, however, Mr. Swift had two important conferences with him which are thus described in his diary.

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[1] Though the spoils system was first actually introduced into the Federal service on a large scale by Jackson yet if Jackson had never lived it would have made its appearance there sooner or later. It was a result of discretionary appointments by the President and his heads of departments when combined with the selection of the President by party agencies. Parties are inevitable in popular governments. The men who think alike will vote together and organize to effect their common desires and if a President controls the power of appointment—that is, the patronage—and is at the same time the head of a party, some President will certainly at some time use it on behalf of his party and as political spoils unless restrained by a law regulating the method of making such appointments. The early Presidents used the patronage very sparingly and rarely dismissed an official merely for political reasons, but when Jackson came in he introduced into the Federal Government the system which already prevailed in New York and which resulted in a "clean sweep" of the offices and the allotments of patronage among the supporters in Congress and elsewhere of the party in power in a manner analagous to the feudal system. (William D. Foulke, *Fighting the Spoilsmen*, pp. 3-7, New York, 1919.)

[2] A few days afterward (April twenty-fourth) this address was delivered to the students of Indiana University at Bloomington, still later to the Union League Club of Chicago and at other places.

August 21, 1888.

General Harrison sent for me and yesterday at his home I had an hour's talk with him as to what he would say in his letter of acceptance as to how he should, if elected, manage the civil service. Soon after his nomination I had an inquiry from Arthur Hobart of Boston and sought a talk with General Harrison as to his views on the same matter. He then said to me that the Pendleton Act should be enforced in spirit and letter, without evasion or violation; that within this law there should be no removal without cause. In the unclassified service he was more vague. He said "You know I do not consider offices as a source of strength but of weakness to a party." However in answer to my direct question he said he should feel bound to follow the platform in managing this part of the service.

Yesterday he repeated his position regarding the Pendleton Act and proposes to say this in his letter of acceptance. But he does not want to say much beyond that except to say that that Act will now bear some extension. In talking about what he did not want to say about the unclassified service he uncovered how he meant to manage that service if elected. He expects to remove every officer without regard to the expiration of his term and without giving any reason except "the improvement of the service." He said that he might possibly keep a few Democrats who were exceptionally deserving. When he had fully expressed himself I told him frankly that I ought not to conceal from him that I was very much discouraged. And in the long talk which followed I stood squarely on the proposition that a complete change of office-holders at every change of party could not continue and that some one would have to fight that battle through. I did not lower my standard a peg and when he would admit that it ought to be done, I kept to it that some one should do it. He had no plan and I suggested that as a first step he should even the service between the parties. This would be a first step only but would appeal to the nation's sense of fairness and once taken and the opposition to it overcome, the next would be easy. I finally said that if he meant to have an iron-clad enforcement of the Pendleton Act, but that outside of that he meant that the offices should soon pass into the hands of the Republicans, that fact ought to be known. Against this he protested promptly and said he should not be willing to authorize such a statement. He said that he would have a strict enforcement of the law and that outside of that he would do the best he could so that at the end of his term some progress should have been made in civil service reform. He declared throughout that he did not want to promise more than he could do—but rather less, which I believe and commend. He also said that not for the Presidency would he be in the position regarding his promises that Cleveland is in. He finally said that when he came back from Middle Bass Island he would not object to letting me see what he had written on this subject for his letter of acceptance. This was his own suggestion.

While talking I asked him why he did not set out to do something great for the country and added that the greatest thing now to do was to transfer the civil service to a business basis. He said he should be glad to do it but did not see how it could be done.

I urged upon him steadily that unless he had a plan to be worked which would tend to take the service out of politics, mere desultory exceptions would not be civil service reform. He admitted this but so far

he clearly had no principle fixed except that to remove the Democrats and put in Republicans, with rare exceptions, *must* improve the service.

In spite of these rather incomplete assurances of General Harrison, Mr. Swift believed that if he thoroughly enforced the Civil Service Act his administration would be more satisfactory than that of Mr. Cleveland with which the Indiana Independents had been so grievously disappointed. Harrison had previously often expressed his sympathy with the merit system, his letter of acceptance as finally written was satisfactory. Since he had always been a man of his word, Mr. Swift and the other advocates of the merit system in Indiana generally supported him in the campaign. Mr. Swift made speeches for him in many parts of the state, and after his election and inauguration awaited with confidence an improvement in eliminating the spoils system.

In some respects the outlook was favorable. Theodore Roosevelt and ex-Governor Hugh Thompson, of South Carolina, were appointed on the Civil Service Commission. This gave a far better assurance of the enforcement of the law than had been the case under Cleveland. Locally, too, the condition of affairs at the post-office in Indianapolis, the only classified office in the state, began to improve. Mr. Swift in a speech delivered some years afterward on "The Story of the Progress of Political Reform" thus spoke of this post-office, contrasting an investigation made by the new commission with the one which had whitewashed the Democratic administration:

In a very short time under Harrison's postmaster this office began to exhibit strange signs. I wrote to a member of the Civil Service Commission about it. A few mornings later I was walking down town and about where Taggart's bakery on Massachusetts Avenue now is, I saw Theodore Roosevelt coming toward me, his smile of recognition visible half a block away. He was taking an after-breakfast walk. He had brought with him the whole Commission to overhaul the post-office. He asked me to come with them and as we went I gave him a brief statement of the facts as I understood them. The inquiry was public and all the newspapers were represented. The outsiders, four years ago kept on the curb, were admitted and for once they had an inning. The assistant postmaster was called and the questions at once indicated a desire to get at the real facts. It was developed that the officials, ignoring the competition and examination required by law, had gone upon the street and

picked up two party workers and put them into places. A gambling room run by one of the clerks just across the alley from the post-office had been previously raided by the police, the apparatus seized, the clerk arrested, tried and fined. For this he had been discharged and this was one of the few justifiable removals by the former postmaster. This clerk had now been reinstated. The assistant postmaster stoutly defended all of these appointments, but when the facts had been brought out, Commissioner Roosevelt said, "These men must be discharged to-day." Discharged they were and from that moment to the end of his term the law had no more efficient and honest executive than Postmaster [William] Wallace. In commenting upon the investigation, the Civil Service Chronicle of June, 1889, said, "The fearlessness of Mr. Roosevelt, coupled with his long and brilliant experience in dealing with unwilling and crooked executive officers, makes it plain that the President has found a man." An opinion which neither the Chronicle nor myself personally ever found reason to revise.

But in other directions sinister omens began to appear. On January 4, 1889, shortly before he left office, President Cleveland had classified the railway mail service to take effect March fifteenth, only eleven days after the inauguration of his successor. But after Harrison became President it was found that the classification could not be made so early and it was soon feared that the interval would be used to loot this branch of the service and fill it with political appointees. Mr. Swift, on March 11, 1889, wrote to President Harrison remonstrating against the postponement and adding that the people had no interest in the crowd now clamoring for office; that President Cleveland yielded to such a clamor and thus cut himself off from accomplishing the only thing that he might have done.

But the Civil Service Commission itself declared that the classification could not be completed by March fifteenth with the force then at its disposal, so the only course of action open was to make the period of the postponement as short as possible. It was finally fixed at May first and the Republicans improved the shining hours that intervened by kicking out all the Democrats they could and putting in their places Republican "workers." President Harrison did little to stop this scandalous proceeding which was widespread, though not universal, when the places were finally classified.

THE CIVIL SERVICE CHRONICLE, FIRST PERIOD (1889-1893)

Indiana had given a large majority to Harrison, and Swift, at the head of those who had supported Cleveland in 1884 and then opposed him because he had failed to carry out his promises, determined to establish in Indiana a monthly periodical which should vividly present the current news of the doings of spoilsmen, with critical comments. His financial resources were inadequate but he was an indefatigable worker; the funds necessary for the enterprise were raised among friends of the movement and the entire work of preparing the paper for the press was done in his office. The price at first was only fifty cents a year, afterward a dollar, and it carried no advertisements. It stated at the outset that its purpose was not to make money and that it must depend for support upon those who sympathized with its objects, but that it expected to get many subscribers who did not so sympathize, adding, "We think we can make it interesting to them, as they will find a certain kind of truth told here that will not be in the papers of their ordinary reading."

Its cost was about $450 annually. "Except the printer," wrote Mr. Swift, "no one is paid anything on the paper." How a periodical of eight pages (and sometimes more) of three columns each, closely printed in small type, could be conducted on such an expenditure is almost incredible, yet it was done.

The first issue appeared in March, 1889, the month in which Harrison assumed the Presidency.

The contents of *The Civil Service Chronicle* were of two kinds: first, the editorials written by Mr. Swift himself, and second, reproductions of all the important news regarding the spoils system and the reform, taken largely from current newspapers and periodicals in much the same way that *The Literary Digest* culls matters of general interest from the newspapers and periodicals of the present time.

In one of the first of his editorials Mr. Swift thus reviewed the course of the recent Democratic government in his own state:

To repeat what is not disputed, the Indiana managers of the affairs of the late (Cleveland) administration viewed the law and the reform as so much dirt and without the slightest regard to solemn promises, they proceeded accordingly, but from the beginning to the end they found this path beset with very ugly thorns. They must today, in the fires of defeat, look back over their course with small satisfaction.

He began his constructive efforts for improvement in the administration of the law by urging, first, an abolition of the secrecy which veiled its execution and which he insisted, was a mere cloak for fraud. Of what use was it for the public to know that an ignorant favorite of the postmaster had never passed the examination at all, when some knavish politician could cut off the public from the knowledge of the fact by the cool statement that he had passed it? Second, he insisted upon a change in the organization of the local boards of examiners which were formed from employees of the office under a chief who had the power to dismiss them at any time. The mere statement of this plan, he said, showed its innate worthlessness and he urged that members should be included from other branches of the service. Third, he demanded that men should be chosen as heads of these offices who were friendly to the law; that putting in mere politicians was much like turning thieves into a bank.

In respect to the Indianapolis post-office which was the first object of his efforts, Mr. Swift was successful in all these demands. The eligible lists were made public, officials outside the post-office itself were placed upon the examining board and Mr. Wallace, the new postmaster, appointed by the President to succeed Aquilla Jones, soon became friendly to the classified system and observed the law.

In an article entitled "Reasonable Expectations" he says:

The spoils system is the spoils system under whatever President it exists and it is none the less to be opposed because it appears under President Harrison instead of President Cleveland. We regard the use of public office as party spoils as a colossal evil. It is the greatest evil in any manner connected with federal or state government. . . .

We mean to bring the facts of this American feudalism to the notice of the people to the fullest extent in our power. And if in persistently insisting that the facts shall be faced, we hurt, now the Under-lord, now the Over-lord, now the Lord-Paramount, and now all together, it will be their fault for causing the facts to exist.

Naturally at the beginning of a new administration the scramble for office was the first thing to attract the attention of the *Chronicle*. It was universal and almost unbelievable. Column after column of the paper was devoted to "The Siege"; scores of pages to the items of "American Feudalism." . . . There were catalogues of office-holding delegates at Republican conventions entitled "Commissioned Henchmen" and lists of "Rebellious Barons" and the means used to placate them. There were picturesque accounts of the ridiculous squabbles between various lords and overlords as to the boundaries of their respective domains of patronage. Other columns gave countless illustrations of "Current Spoils" and "Wanton Removals"; others entitled "Political Dicers" narrated the broken promises of the party and its candidate.

Other columns gave lists running up into the hundreds and thousands of the newspaper editors rewarded by plums of patronage. These were published under the title "A Manacled Press." There were published lists of the delegates to the Republican convention of 1888 who had received important and lucrative appointments.

The official reports, said the *Chronicle,* showed that Assistant Postmaster General James S. Clarkson was decapitating a fourth-class postmaster every five minutes. Soon the number increased to one every three minutes, all this to make room for Republican successors. At the end of the year, though these high averages were not always continued, the number of changes was about thirty thousand. Among the appointees were jail-birds whose offenses were duly chronicled and their convictions recorded. It was a melancholy recital yet often tinged with humor by its absurdities. So overwhelming and persistent were the demands of office-seekers that Congressmen ran away and hid and even changed their residences to escape importunities.

W. H. H. Miller, the former law partner of President Harrison, whom he appointed Attorney General, visited Indianapolis and the *Chronicle* reports his declaration: "In all appointments the two requisites are that the prize winner shall be, first, a good man, second, a good Republican." Of this Mr.

Swift observes, "Thus the administration flounders along to inevitable destruction." And so it did.

One of the most unfortunate of the early changes made by President Harrison was his refusal to reappoint Henry Pearson, the able and efficient postmaster of New York, who, although a Republican, had been retained by President Cleveland but was now supplanted by C. Van Cott, a mere politician, quite inexperienced in postal affairs. Mr. Swift thus speaks of Pearson's administration of the New York office:

> He has made it as free from politics of every kind and nature as Broadway is free from weeds. Before the passage of the civil service law, he had the competitive system in force. Since the passage of that law there have been a few leading positions which he might have filled with reference to politics but he has declined to do so. In every case of such a vacancy he has promoted a skilled man from the ranks of the classified service. He has held his men to their duty and whenever an employee deteriorated in his work, competition put him in a lower grade and put a more skilled or a more faithful man in his place. He was the one postmaster who gave the law the "benefit of a friendly interpretation" to its fullest extent. As a result he had incomparably the best post-office service in this country.
>
> In doing this work obstacles have been put in his way in a manner to stir the indignation of every fair man. His office became of the greatest use to the public but it was absolutely worthless to the party machine, and the party machine has followed him with remorseless hatred.

Mr. Swift here describes the previous ineffectual efforts to remove Mr. Pearson upon secret and fictitious charges, and thus continues:

> The public does not know what the motive power was that at last succeeded in displacing him. It does know that the good of the service had nothing to do with it. . . .
>
> There is probably no other single act by which President Harrison could have damaged himself and his party so much throughout the country. . . . The "workers" have won a victory but it is like the victory of the elephants of Pyrrhus.

Although Mr. Swift criticized the Indiana President he accorded him high praise in the appointment of Theodore Roosevelt and Governor Thompson, of South Carolina, on the Civil Service Commission and when George William Curtis, president of the National Civil Service Reform League, in his annual

address, filled it with little else than criticism, Mr. Swift editorially remarks that the effect of it was "to leave the administration without any credit regarding civil service reform" and he adds:

> We can not concur in this general conclusion. For instance, the appointment of the present civil service commission was an act of tremendous importance and displayed not only a purpose to have the law enforced, but entire knowledge of the way to go about it. . . . We have now what has always been needed, a commission that can not be cowed by the threats of congressmen whose hurts and outcries are the best evidence of its efficiency. The recent outbreaks against the law are conclusive proofs that a new and serious barrier to working in henchmen in spite of the law has been encountered. The appointment here and there of the head of an office who earnestly favors the merit system can not be compared in importance to the selection of an "admirable civil service commission." The one affects but one office, the other all the offices in the classified service, and acts both as a prod and as a brake upon the President himself.

DISCUSSIONS IN THE NATIONAL LEAGUE

But not only in the columns of the *Chronicle* did Mr. Swift insist upon recognition of President Harrison's good work in the appointment of an excellent commission. He also records in his diary the following in regard to the resolutions at the annual meeting of the National Civil Service Reform League in Philadelphia in 1889:

> Curtis drew out and read a set. As he finished I felt for the first time that he was like the rest of us subject to prejudice and bias. His resolutions were a sweeping condemnation of Harrison's administration without the least credit. . . .
>
> I held up against Curtis and steadily refused to agree to the resolutions. . . . I said I would be as severe as any one on actual specified delinquencies, but that we could not omit acts deserving commendation. Schurz reminded Curtis that they might have applied his rule to Cleveland but did not. Curtis replied that he felt that Cleveland was honestly and really in favor of the reform while Harrison was not. . . .
>
> Up at quarter before seven. . . . went to work writing out the resolutions and while at it Curtis and others came in. . . . sent them to breakfast while I finished. . . . We met at 9 o'clock as agreed. It was now a short matter. With verbal changes the copy passed as it now stands except that relating to the census bureau which was added by the League. . . .[1]

[1] The resolutions as passed, while severely condemning the President's failure to fulfil other pledges of the Republican platform and of his letter of acceptance, in regard to the Civil Service contained the following:

"The personal character, ability and experience and the unquestionable and fearless devotion to reform of the members of the Civil Service Commission appointed by the administration and the support accorded to them by the President, deserve the heartiest commendation."

At one we adjourned for luncheon. Sat next to E. L. Godkin but for a long time we said little. At last R. R. Bowker came around and we three had a talk about Harrison. Godkin asked me how I accounted for Harrison's lack of intellect. I said I did not account for it as I did not admit the lack. . . .

SWIFT'S CRITICISMS OF CLEVELAND'S TARIFF MESSAGE

Mr. Swift, at the annual meeting of the National League in 1890, delivered an address insisting upon the paramount character of civil service reform and deprecating the fact that President Cleveland during his late administration had apparently subordinated his advocacy of the merit system for another issue, tariff reform, and had sent a message to Congress confined to the latter subject alone.

"The prominent idea and discussion connected with the early part of his administration," said Mr. Swift, "was in relation to the civil service, but the antagonism of his party machine to his reform views and acts and the threatening attitude of his party leaders confronted him until he brought forward the tariff issue, upon which the bulk of them seemed willing to unite and he took the first step by a message to Congress devoted exclusively to that subject." Mr. Swift insisted that the enactment of our laws was made with the halting advocacy caused by the skeleton in the party closet—the fear of losing the spoils of office; that those interested in all questions which related to any subject arising with a progressive people, had found that the measure of relief granted was gauged by its supposed effect upon the continued power of the Quays and the Gormans over the spoils of office. Mr. Swift thus continued:

Therefore I say that the destruction of the spoils system ought to regulate individual political effort. Not that other reforms may not have sympathy and support. But there comes a time when the roads part. Then there can be no compromise, no hesitation. The pursuit of these bloodsuckers upon our civil government should be relentless. To cease this attack at any point and unite with this common enemy with the hope of benefiting some other object is to strengthen the enemy and fill him with joy. Such deviation prolongs the unequal struggle on our hands and does not accomplish its object. . . .

The advocacy of tariff modification, as it is now offered, gives no satisfactory reward and actually helps the bosses to obscure civil service

reform and extend their own rule, and the poison of office—exploitation for spoils—is left with increased virulence to course its way through every hamlet, town and city in all the states of this Union. It ruins public morals. It is the destroyer of nations. No man can look at our national, state and city government and deny that it is the crying evil of our time. The call to destroy it rings in the ears of every man who loves his country. Our faces should be always towards it, and our hands should be always against it.

The meeting of the League at which this was delivered was held in Boston. Now Boston was par excellence the home of the Eastern Mugwumps and the Eastern Mugwumps were deeply devoted to Grover Cleveland. His administration had been seen at its best in New England and in New York. But Swift was from Indiana, a state which had suffered grievously from the abuses of the spoils system. It soon became apparent that Mr. Swift had stirred up a nest of hornets by his criticisms.

Everett P. Wheeler, of New York, a warm adherent of President Cleveland, took exception to some of Mr. Swift's statements, especially to the statement that the Cleveland tariff message was put forth at the demand of the party bosses. Secretary Fairchild, he said, had told him that the conviction of the immediate necessity of the presentation of that question to the country led to the writing of the message. Winslow Warren, of Boston, could not agree with Mr. Swift that the Mills Bill or the McKinley Bill meant the shelving of civil service reform. Colonel Charles R. Codman, of Boston, said that if he had understood Mr. Swift aright, he had declared that civil service reform was of such transcendent importance that the League must abandon all the other great reforms of the day. Mr. Swift interrupted to say that he believed that when they came to a point where the road parted between an advocacy of that reform and any other they should choose the former. Mr. George Fred Williams, of Massachusetts, said he should be much opposed to having Mr. Swift's views sent forth to the world as those of the League. Mr. Swift's statement that Cleveland's object in putting forth his tariff message had been to shelve civil service reform was merely an inference, but he, the speaker, knew it was wholly false. The president of the League, George William Curtis, said that no man in his senses

would accept Mr. Swift's statement as being the view of the League. After a long discussion, the executive committee was directed, in preparing *all* papers for publication, to prefix a statement that the League was not responsible for the views therein expressed. A special disclaimer of Mr. Swift's opinions was thereby avoided.[1]

It is not necessary to believe that the Cleveland message had been consciously designed to shelve the civil service issue. Mr. Cleveland finally showed in his subsequent administration that he was a sincere friend of the merit system. But undoubtedly *the effect* of thus forcing the tariff issue upon the exclusive attention of the country was to postpone civil service reform. Nor is it necessary to insist that the merit system is so preeminent as to exclude other important measures. As President Roosevelt said, "There are other and more vital reforms than this." But as Mr. Swift pointed out, no other important public measures *can even receive fair-minded consideration* while the hunger for the spoils of office is the paramount motive for political action.

Wheeler in a subsequent letter to Mr. Swift, dated December 2, 1890, urged that all reference to the tariff in Swift's address and in the debate which followed be omitted from the published record of the proceedings of the League. He said of this subject:

> It is one of course that has raised a great deal of feeling, and as our membership is composed of Protectionists as well as Tariff Reformers, it seems to me undesirable for the good of the cause to embody any discussion on that subject in our permanent publications.

Swift was opposed to this attempt to suppress his criticism of Cleveland. In his answer to Mr. Wheeler he says:

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[1]The differences in the points of view between the reformers from different sections of the country, continued for some time. President Roosevelt in his autobiography thus speaks of them:

"As a rule, these men were highminded and disinterested. Certain of them, like the leaders in the Maryland and Indiana reform associations, for instance, Messrs. Bonaparte and Rose, Foulke and Swift, added common sense, broad sympathy and practical efficiency to their broad-mindedness, but in New York, Philadelphia and Boston, there certainly was a mental and moral thinness among very many of the leaders of the civil service reform movement."

. . . I call your attention to the fact that the League has made it plain that opinions expressed in a paper read before it are the individual opinions of the writer. . . . As to the tariff, I have not discussed it and to say that the tariff or the currency or force bills or any other subjects not connected with civil service reform may not be referred to for the purposes of illustration seems to me little short of childish. My paper makes no exception of parties and treats all parties alike. So far as the reference to Mr. Cleveland is concerned I had grounds for the position taken. Any criticism of him for sending a tariff message to Congress would have been improper and I made none. But following his long career as a civil service reformer and after he became President noting the gradual departure of his acts from his written words and his utter silence after sending his tariff message (except in occasional perfunctory remarks) upon the subject of civil service reform, and the final delivery of the balance of the service (except certain spots) to the spoilsmen during the last six months preceding the election of 1888 and which was repeatedly noted by the New York Evening Post, the conclusion irresistibly follows that civil service reform was abandoned. . . . So good a judge as Mr. Schurz remarked to Mr. Foulke "There is no question but that Mr. Cleveland has attempted to side-track civil service reform." As I state in my paper it was side-tracked in answer to party pressure and the tariff question was substituted. . . .

It is no friendliness to him to be blind to these facts. He is quite human and has the limitations of a human being. He is more than likely to be the next President and the duty rests upon all who communicate with him or speak of him not to jump up and attempt to put down any criticism of him by a fulsome adulation; nor are they workers for the public good.

There is no question but that Mr. Cleveland has elevated his party. I still believe that he would like to see the spoils system broken up. Under certain conditions I should vote for him for President. But I should vote with my eyes open, not regarding him as a man who could make no mistakes but rather as a man who had made stupendous mistakes. I should vote hoping that he would profit by experience and I should vote with the reserved right to look his acts in the face and to be plain spoken about any failure of duty just as I have been plain spoken with any failure of duty with President Harrison.

When a copy of this letter was shown to Mr. Schurz he remarked, "What a sturdy old fellow Swift is!"

In the published proceedings Mr. Swift's criticisms were retained.

CLOSE OF HARRISON'S ADMINISTRATION

The Congressional elections of November, 1890, were disastrous to the Republicans. Mr. Swift in summing up the causes in the *Chronicle,* declared that the course of the administration had alienated the reform element. The dismissal of Pearson had been supplemented later by the turning out of Silas

Burt, E. O. Graves, Leverett Saltonstall and others of the same stamp. The administration had turned in to help William P. Mahone put Virginia under his heel. A reasonable request for a non-partisan selection of census employees had been refused and that important work put into the hands of 60,000 party hacks who had taken a census which had not and never would have the confidence of the country. The Indian service had been disgracefully used as spoils. Officers had been removed on secret charges and political assessments upon their salaries had gone unpunished and unchecked. He thus concludes:

> If the administration can do any worse, it has over two years in which to do it. If it means to do any better it has no time to lose.

The time passed without substantial improvement, yet in June, 1892, Harrison was renominated by the Republican convention at Minneapolis. Of this convention Mr. Swift says:

> The spoils system was in full fruition. The successful candidate was successful because, through his henchmen he had the Convention literally by the throat. One hundred and forty place-holders at the lowest estimate had votes. On the best authority at least three thousand other place-holders gathered around and bore down opposition. All these were led by a place-holder who makes thirty or forty thousand dollars a year out of his place and who came specially from London for this purpose.[1] The whole was superintended by the President who had wires connecting the White House with the convention, and who, as the Indianapolis Journal puts it, was busy "sending and receiving communications from the seat of war." It is to be hoped that our United States executive government has now reached its lowest point of degradation. It would not seem that political pirates and buccaneers could get or would want greater power.

The National Civil Service Reform League appointed a committee to investigate and report upon the interference of federal office-holders in primaries, conventions and elections. The details of this duty were assigned to members of the League from the various states affected, and in Indiana this duty devolved upon Mr. Swift. His report was published in the October number of the *Chronicle* and fills five pages. It shows that the President had given his personal attention to

[1] John C. New, Consul General.

the distribution of Indiana patronage. Delegates who supported Harrison in the convention of 1888 were specially favored and lists of these are given. In peddling the smaller patronage the successive chairmen of the Republican state committee were used. Every Indiana Republican in the government service at Washington received a demand for campaign contributions. Elaborate details are given of the office-holders from Washington and other parts of the country who returned to Indiana to control the primaries and the delegates of the convention. The subsidized press was catalogued.

Practically all the leading office-holders and great numbers of the subalterns attended the Minneapolis convention. Abundant extracts from contemporary newspapers, mostly Republican, confirmed the details of the criticisms.

Mr. Cleveland was renominated by the Democrats and the question arose: "Which of the two candidates should the advocates of the merit system now support?" Mr. Swift thus replies, and says of Harrison:

> In violation of his own and his party pledges he had refused to extend the classified service and had divided more than a hundred thousand offices as spoils among his relatives and personal friends and among a pestiferous set of political manipulators and had shamelessly used the offices to secure renomination. He ought not to have his acts ratified by re-election. Four years previously Cleveland had been defeated and his acts therefore had not been ratified. He was undoubtedly sincerely in favor of civil service reform, he could now look forward to no further reelection. He would probably profit by experience and knew that the Democrats who wrung the most spoils from him did not want him for President and he would not be likely to yield to them again. *That in short the advantage to civil service reform in the next four years would be much greater with the defeat of Harrison and the election of Cleveland.*

There are no doubt those who think that Mr. Swift, in turning from Blaine to Cleveland in 1884 then back to Harrison in 1888 and to Cleveland in 1892, was guilty of great vacillation and a total lack of party loyalty. If this means lack of fealty to a mere political organization it is true, but in fidelity to a principle, no man was more unswerving and consistent. He regarded the overthrow of the spoils system as a vital question essential to the welfare of republican institutions, and in this

sense much more important than the questions of the tariff or the currency, the chief issues upon which the parties divided. The result showed that in supporting Cleveland he did wisely, for that President, in spite of many backslidings at the beginning of his second term, finally extended the classified service more widely than any of his predecessors had done, ultimately making the most valuable contribution to the merit system which had ever been made until Theodore Roosevelt took the helm of state. It may also be noted that in these changes the majority of the American people were with Swift for in each case they elected the man of his choice. When the November elections came on it was found that the scandals produced by President Harrison's administration of the patronage had borne their inevitable fruit and had been an important, probably a controlling element in his disastrous defeat. Mr. Swift says, in his November issue, of the army of federal office-holders who had worked for Harrison in the campaign:

> These same brisk fellows, paid by general taxation and a couple of weeks ago such busy and brazen henchmen are now so limp and apprehensive that they rather excite pity.

In the February number he says:

> While Mr. Cleveland has been busy selecting his cabinet, with his judgment unhampered by party workers, the country has been treated to the sight of congressmen dividing the offices. They have no authority whatever in the law or in the constitution, and they do not seem to have the least authority from Mr. Cleveland. Nevertheless they are holding conferences, ordering elections to decide "contests," and deciding who shall have this post-office and who shall have that collectorship. In this business our Indiana Democratic congressmen appear the most prominent and the most contemptible.

CLEVELAND'S SECOND TERM; THE CHRONICLE CONTINUED

With the March number, 1893, the *Chronicle,* in response to a wide-spread demand for its continuance, starts upon a new four-year period to record and publish the acts of the second Cleveland administration. "The only promise we can make," says the opening editorial paragraph, "is to be thorough and impartial."

In some particulars Cleveland had started out well. He said offices ought not to be used to pay party workers and that present incumbents should serve out their terms, but Swift insists that while a change made at the end of each officer's term was more orderly, yet if each officer were discharged to make room for partisans, a clean sweep would be made as it always had been and with the same motives.

Again the columns of the *Chronicle* are filled with countless details of the "onslaught" of place-hunters. In its April, 1893, issue, the situation is thus summarized:

> The President and every member of the cabinet spend about all their time with office-seekers. The daily applications for postmasterships exceed two thousand. There have been over eighty thousand applications for consulships. A congressman takes as high as twenty office-seekers before the President at a time. . . . They are constantly travelling over their districts, and to and from Washington, solely engaged in distributing offices. . . . The general aspect is that of a wild scramble for place, where the scramblers in squads, headed by congressmen, crowd in upon the President and other appointing officers and stop public business. Congressmen have entirely abandoned legislative duties or preparation, and have become simply squad leaders, marching their squads about the streets and through the public buildings of Washington in the onslaught upon the executive.

Long lists of the removals of Republicans now follow in the *Chronicle* under the heading "The Guillotine" and in the pages devoted to "American Feudalism" is the catalogue of the vassals appointed in each Indiana congressman's domain separately set forth.

Cleveland had only been some six weeks in office when Swift, hearing that the old system of removals on secret accusations was going on, went to Washington to inquire as to the reputed charges against the postmaster at Indianapolis. He thus relates his experiences in a letter to his wife.

> RIGGS HOUSE, WASHINGTON, D. C.,
> April 25, 1893.
>
> . . . Here at half past two and walked over to the White House without stopping even to wash. Asked to see the private secretary. Was sent up stairs. Sent in my card and was received at once. Asked to see Congressman Bynum's petition for the removal of Postmaster E. P. Thompson if one had been filed. Was referred to the Postmaster

General. Hied me by street car to the postoffice department when after being duly impressed by the Captain of the Watch with the fact that the "General" was very busy, I was allowed to pass up in the elevator with the information that by waiting in room four until he was through with the rest I could see him. Room four was the ante-room. Eight men were waiting. One was a young man with a tall hat, very nervous, who had evidently waited a long time. He walked up and down and continually took off and put on his hat. The rest were quiet. I sat back on a sofa. After a little the weary young man asked the colored doorkeeper if his turn didn't come next. Then a man who looked like a smallish drayman in his Sunday clothes went across to a table and flipping a document out, he said to another man, "This is the way all petitions ought to be got up." As they turned it over I heard the expression "sixty-five thousand." It was Frank Lawler after the Chicago postoffice. I looked at his document and found it was not the original petition but printed classified excerpts, a sort of brief for use in his argument for the appointment. We went on:

Lucius B. Swift. "How many men do they employ in the Chicago postoffice?"

Lawler. "Twenty odd hundred."

S. "That is a large number. They must have an immense amount of business to handle."

L. "Yes."

S. "The postmaster's place is a very responsible position."

L. "Yes, very."

S. "You are familiar with the duties of the place?"

(All the listeners turn around and stare straight at Swift.)

L. "I spent twelve years of my life in that office."

S. "As a carrier?"

L. "As a carrier and in the mailing department" (with some unsteadiness).

S. "What is your business generally?"

L. "I was in Congress six years."

S. "You have been in other business?"

L. "I have lately been in the sewage business."

After this there was a lull. Lawler never saw the point at all, but to every one who was interested he explained his petition as a man might explain a patent churn. Then I tried again.

S. "What kind of a postmaster has Chicago now?"

L. "The present postmaster, Saxton, has given a splendid administration."

S. "Is his time out?"

L. "His time would be out in December but he is a Republican and he does not believe in serving under a Democratic administration and he offered his resignation."

S. "How many places are not under the civil service law."

L. "One hundred."

S. "The law will be observed?"

L. "It will have to be under Mr. Cleveland."

Bystander. "I hope your Democratic predecessor is for you."

L. "The last two Democratic postmasters have been failures."

S. "What was the matter?"

L. "They were too much for show. It wants a man who can get right down to work."

S. "You mean they were 'Swallow Tails.'"

L. "That's it and now it wants a 'Short-Hair.'"

I was quite satisfied and left off. In a minute the inner door opened and a man came out. All waited for the door keeper to point out the next. He said "Senator Voorhees, walk in," and Dan Voorhees who had cut off his whiskers so that I did not know him got up and walked in. He must have heard all of my talk with Lawler.

After Voorhees came out we were all turned into Bissell's room together, and sat down on the leather-covered seats. He nodded one after another up to a chair by his side where a talk of which more or less could be heard went on. After a minute with the young man with the hat, Bissell said, "Your recommendations are on file?" "Yes" and that ended the young man. To another, Bissell said "Both places are under the civil service law. They must take the examination." When all but three were out, Bissell nodded to me. I said (anxious to hear Lawler's plea), "Mr. Lawler was here first." Bissell said "Mr. Lawler wants to talk with me longer." I took the seat and began:

"My name is Swift and I am a citizen of Indianapolis (he did not seem to have ever heard of me) and the papers say——"

P. M. G. (looking around to a third man), "Why how are you, Terry? I didn't see you. Take a seat here." Then to me in an undertone, "Terry is a member of Congress." I stood aside and Terry went on in a dissatisfied undertone. I caught from Bissell the words "Civil Service Commission" and then he began to open and read his mail as he had done with all the other callers while Terry went on mumbling. When he quit I took the seat again and stated that I heard that Mr. Bynum had filed a petition for the removal of the postmaster at Indianapolis and that if so I should like to see it with the charges and take copies.

P. M. G. "Are you the sitting member of Congress?"

L. B. S. "No."

P. M. G. "Only the sitting member of Congress is allowed to see the files. This has been the rule for perhaps a hundred years."

L. B. S. "If that is the rule, it is wrong. If any man is ready to make charges against an officer he ought not to be ashamed to do it in open daylight. What he says should be made public so that the neighbors of the parties may know what is going on and be able to judge of it."

P. M. G. "You know how hard it is to change any such custom and it will be impossible to let any citizen who may come in here, see the files.

L. B. S. "If I cannot see the petition, can I find out if one has been filed with charges?"

P. M. G. "I can find that out for you in a minute."

He rang and a man came in and Bissell said to him:

"This man wants to know if a petition for the removal of the postmaster at Indianapolis has been filed. It is a fair question and he may have that information."

L. B. S. "A petition with charges."

The man went out and I stood aside and Lawler began his plea. He said:

"Mr. Postmaster-General, I have had a very pleasant and satisfactory interview with the President and if I can get your help I can be

postmaster of Chicago—(naming some Jake or Mike) writes "If it were left to a vote Lawler would get the postoffice by 50,000 majority."

Then the man came back and said "A petition has been filed."

I said: "With charges?" Bissell said "Yes."

L. B. S. "Then as a citizen, I protest against the secrecy in this matter. I am obliged to you for this information." (Bowing and going to the door.)

P. M. G. "Well now you protest against the secrecy. I will take the time and explain to you the reason of the rule. If you were a business man you would understand it. Are you a business man?"

L. B. S. (returning and standing by the table) "No, I am a lawyer."

P. M. G. "I am sorry you are not a business man. I say that because I am a lawyer too. A business man would understand these matters better."

L. B. S. "I think I can comprehend an explanation."

P. M. G. "Well, if we let every citizen look over the files, it would stop the business of the government. It would cost $100,000 a year. We should have to double the number of clerks and it would be utterly impracticable."

He ran on in this strain in a loud tone until he ran down. Then I said:

"Mr. Postmaster General, if you will allow me a word I should like to say it. The matter of expense and trouble is not the reason of the rule. The reason is that those who make these charges are afraid to have their neighbors know what they are saying. The reason is that Mr. Bynum would not consent, if his consent were asked. These charges can be published without any trouble or cost by handing them out as facts are handed out to newspaper men and they are never so handed out."

He broke in "Well, what if that *is* the foundation of the rule?"

I answered "That is not the way to run this government. Every thing should be open and above-board." He slightly contemptuously "Oh well, we'll try to manage this thing right." I, "I have no doubt of that, but you are mistaken." The private secretary here broke in to keep the peace. "I did not find any charges. I found several applications for the place."

P. M. G. "Well then there is nothing."

L. B. S. "I am to understand then that no petition has been filed?"

Messenger. "Oh, yes, a petition has been filed but I did not see any charges."

L. B. S. "Then no charges have been made?"

Messenger. "I did not see any charges."

(Scene. L. B. S. mad. Lawler paralyzed. P. M. G. annoyed and feeling that somehow his triumph was not complete.) I bowed and walked out. Those in the outer room had a scared sort of look as I went through and I suppose they heard the altercation. Bissell is welcome to all he got out of that.[1] . . .

The Postmaster General's attitude continued unsatisfactory for some time but finally he made an order that no carrier

[1] It was shortly after Swift's interview with Bissell that he and Foulke investigated the Terre Haute post-office where serious violations of the law had occurred and still later in the year the post-office at Fort Wayne. A full account of these investigations is found in Appendix B.

should be removed without notice and an opportunity to be heard, whereupon the condition of the office greatly improved.

To return to *The Civil Service Chronicle*. In June, 1893, there came a cheering item:

> President Cleveland asked Mr. Roosevelt to remain on the civil service commission and the latter consented to do so. It was against Mr. Roosevelt's personal inclination to stay, a more congenial career being open to him in other directions. But the call of reform was too imperative. There was no one to take his place. And he is appreciated, not only by civil service reformers, but by the American people, who like a man who will not equivocate, who will not temporize, who will not play the sycophant, who will not flinch, but who knows his duty and will do it, whatever the consequences—in a word, whom no man nor set of men can make afraid. These are the qualities the times need.

Meanwhile in the unclassified service, Mr. Swift's own state was one of the most disreputable in its "onslaught" of office seekers. He says:

> Our Indiana Congressmen fight at the trough, and in the columns of the Civil Service Chronicle they make voluminous, accessible and mortifying history which their descendants and perhaps some of themselves in their old age, would give a great deal to have blotted out.

Mr. Swift is not disposed to question the personal friendship of the President for the merit system. He says:

> We believe that the views of the President and the Postmaster General as to the final result which ought to be reached in the reform of the civil service do not differ materially from the views of the Chronicle. There, however, the resemblance ends. Judged by their acts, they believe that it is necessary to yield more or less to the buccaneers who prey upon the civil service. We do not; we take the ground that it is their duty to stand upon the Constitution, the law and their oath of office and take the consequences.

In the March issue, 1894, after Mr. Cleveland had been one year in office he wrote:

> The close of the first year of President Cleveland's second administration brings little satisfaction to the friends of good government. With rare exceptions, of which [David B.] Hill is one, he has delegated his presidential power of appointment to political bosses. In the light of his long experience, he has done . . . it in complete stultification of his many declarations against doing it. . . . The boss system was never

more flourishing, and there are yet graver matters. It was for a long time incredible, but it is no longer beyond question that the President has given places in the civil service for votes in congress.[1]

The dissatisfaction with Mr. Cleveland increased and in the congressional election of 1894, after he had been in office nearly two years, his party suffered a disastrous defeat. The repudiation was particularly emphatic in Indiana and its magnitude was quite unexpected. Mr. Swift says in the *Chronicle:*

The Republicans in this state are stunned by their victory. They have carried the state by about 45,000. Such an enormous change after being disastrously defeated in 1892, is proof overwhelming that party ties have gone to pieces and that at the next election the Republican machine may be overthrown.

ROOSEVELT RESIGNS AS COMMISSIONER

Theodore Roosevelt resigned from the Civil Service Commission in April, 1895, to take the position of Police Commissioner in New York. New York was then the storm center in the battle against corruption and the Commission at Washington was sailing in smooth waters. The other commissioners were men of ability and integrity and within the classified service the law was generally observed. Roosevelt was a stormy petrel who naturally betook himself to the place where the gale was fiercest. Swift wrote in the *Chronicle*:[2] "In view of the great opportunity and great need of Mr. Roosevelt in New York, it was time for him to leave the commission."

In the same issue he thus comments upon Mr. Roosevelt's services:

In these later times it has fallen to the lot of few men to render their country such important services as those rendered by Mr. Roosevelt as a federal civil service commissioner, which place he has recently vacated. . . .

The federal civil service act of 1883 will always be a monument of statesmanlike sureness and simplicity as a remedy for one of the greatest evils that ever existed in any government. But when the remedy came to be applied, grave mistakes were made. . . . The critical moment

[1] To secure the repeal of a bill requiring the purchase of silver, a bill which, as Mr. Cleveland believed, would debase the currency.

[2] May, 1895.

came with the first election of Mr. Cleveland, when the law was shaken to its foundations in the determination to wreck it. The long struggle which followed is well remembered. . . . Then came Theodore Roosevelt, a man who knew the value of a blow between the eyes. Order began to appear out of chaos. The commission was no longer afraid. Publicity took the place of secrecy. Fair play to competitors, regardless of politics, was made the first principle. Senators and representatives went staggering from a contact with the commission, and the tricks of heads of offices to cheat the law were dragged into the daylight. The people like a man who is not afraid. They watched the brave contention and the merits of the cause appealed to them, and an educational process spread over the country, the result of which is seen in the present general desire among the people for the reform system in all public business. . . . This is what Theodore Roosevelt has done for his country. He is the only man of the Harrison administration who has won permanent national fame and the value of his work will grow in estimation the further we get away from the system of transacting public business upon the principle of "addition, division and silence" which prevailed for generations.

REFORM AT LAST

As time went on, it became evident that the President intended at last to make wide extensions of the classified service, and remove a very large portion of it from the evils of patronage. In November, 1894, Mr. Swift declares that an executive order extending this service to many of the higher positions "can hardly be sufficiently praised," and he adds:

It is not in the great number of places, about 3,000 in all but it is in their importance and in the number of gaps stopped and more than all in the fact that the scandal of going upon the street and picking up politicians and placing them as heads of divisions over men a thousand times better fitted than themselves, is, let us hope, forever ended. . . . It is proper also to speak of the civil service commission. The law could not be more fortunate in having a commission impartial, qualified, determined and fearless. It is a pleasure to know that Mr. Procter has largely added to the commission in these respects.

In February, 1896, Mr. Swift says, in reviewing the career of the *Chronicle* for seven years:

Its one single principle of action has been a steady onslaught upon officers in place for the time being, who were practicing or in any manner aiding or abetting the spoils system. It has not omitted to praise any acts of officers which promoted administrative reform but it has not overpraised such acts, nor has it regarded even notable reform acts as any excuse for indulging in carnivals of spoils. It has refused to recognize any occasion as inopportune, nor has it regarded any sort of

plain speaking as intemperate. It has let the sun go down every night upon its wrath.[1] Its course has met with protest on every hand—from cabinet officers, from all manner of under-officers, from ministers of the gospel, from college professors, from good citizens whose party feelings were hurt. It has been ostracised from college libraries and religious reading rooms. Nevertheless, it knows that it has the respect of its enemies, and it has the approval of a wide circle throughout the country too eminent in the workings of government to leave any doubt. . . .

At last the glad news came of Cleveland's so-called "blanket order" incorporating nearly the whole of the departmental service into the classified system. This was the hour of complete reconciliation with those who had criticised him. Mr. Swift says:[2]

The new order of the President transferring some 30,000 additional places to the classified service well-nigh completes his work. The reform in the federal service is not completed, but it has reached a stage where it will go on to the end by reason of its own now understood merit. . . .

There is no work which President Cleveland has done which will in any manner compare with his work in finally taking this reform almost bodily and with his well-known strength and courage forcing it through.

Reviewing the former course of the *Chronicle* in regard to Cleveland in July, 1896, Mr. Swift states:

The CHRONICLE has criticised President Cleveland in every case where it believed he was at fault; and looking back now it believes that at times he was seriously at fault. But the summing up of his career will leave him among the great Americans. He stands to-day immovable between public honesty and order and all kinds of social and business disorder, and he will continue so to the end of his term. It is a curious irony of fate that the horde which at critical moments he tried to appease, we think improperly, now turn against him like wolves and try to rend him.

MCKINLEY AND BRYAN

The presidential campaign of 1896 was now at hand. The Republicans had renewed their declaration that the civil service law should be thoroughly and honestly enforced and extended wherever practicable and had nominated William McKinley, who in his congressional career had consistently supported the competitive system.

1The *New York Times* says: "This quaint statement has the double merit of sincerity and accuracy."

2*Chronicle*, May, 1896.

On the other hand, the Democratic party had nominated William Jennings Bryan upon a free silver platform also advocating "fixed terms of office and such an administration of the civil service laws as would afford equal opportunities to all citizens of ascertained fitness." "What we oppose in that plank," said Mr. Bryan, "is the life tenure which is being built up at Washington which excludes from party representation in the benefits, the humbler members of our society."

Against this platform and candidate Mr. Swift in the July number of the *Chronicle,* 1896, wrote the following invective:

> The meeting of looters held at Chicago this month which assumed the name of the National Democratic Convention, included, among its other schemes of robbery, the looting of the public service. Their platform opposes a life tenure of office and Bryan defines it to mean such a life tenure as is being built up at Washington which this demagogue says "excludes from party representation in the benefits the humbler members of our society." With the crowd before him any kind of a lie would pass, and he showed himself a glib and comprehensive liar. There is no life tenure being built up at Washington nor anywhere else in this country for the reason that executive officers have the power of instant dismissal. The humbler members of society never had an opportunity for public employment except at a sacrifice of manhood until the system of competition open to all known as civil service reform was introduced.

In the August number Mr. Swift adds:

> What we said of Mr. Bryan last month is fully borne out by later events. Scarcely any man in American public life has shown such contempt for the moral sentiment of the people. The stupidest politician in the country would not have stood up before a crowd and said, "I am not distributing postoffices now, but I expect to be before long."

Of McKinley he says:

> Mr. McKinley in his letter of acceptance is in the matter of the civil service fully up to the mark of the platform and even with his former record in Congress. There is scarcely a shadow of doubt but that his election will lead to the complete and final development of the merit system. The full headway which that system now has will, under friendly guidance, carry it to the end.

CHRONICLE DISCONTINUED

Believing that the object which he sought to accomplish by the *Chronicle* was in such large measure achieved and that the

press of the country so generally favored it that it was no longer necessary for him to continue the personal sacrifice which he had made in carrying it on for nearly eight years, Mr. Swift made the following announcement in September.

> With the defeat of Bryan the publication of the CIVIL SERVICE CHRONICLE will cease. It was begun nearly eight years ago in the midst of the struggle for the establishment and maintenance of the merit system in the federal service and the burden of its work has been in that struggle. By the far-seeing and statesmanlike measures of Mr. Cleveland during his present administration the victory has been completed. It is not that there is not yet much to be done, but the forces to accomplish it are abundant and united. The federal employes themselves have at last espoused the reform, and on every hand they rise up and demand its enforcement and extension. The country has accepted it and it regards with aversion and distrust any man who threatens to overthrow it. . . . The newspaper which now advocates the spoils system is something of a rarity. The situation is believed to be a sufficient reason for the discontinuance of the CIVIL SERVICE CHRONICLE.

Indeed the *Chronicle* was discontinued even before the defeat of Bryan, for this September issue was the last. Mr. Swift was so busy in the campaign, speaking every day in all parts of the state, that he was unable to prepare the October number. He was confident that Bryan would be defeated and in this he was entirely justified by the result. He was apparently equally confident that the reform had reached a point where the future was quite secure, but in this he was mistaken. McKinley disappointed expectation, and although under Roosevelt and Taft the competitive system reached a much higher development, during the administration of President Wilson the advance was checked, great numbers of exceptions being introduced in laws creating new offices, and during the crisis of the World War the administrative force of the government fell into considerable confusion. With the advent of Harding who was essentially a politician there began a new and dangerous onslaught on the competitive system and although this was stayed before it reached its accomplishment there is still a large portion of the civil service, including the postmasterships and many other positions, which are subject to political manipulation. The merit system is not yet secure and in the various states and municipalities little progress has been made since the World War.

In the foregoing review of the work done by the *Chronicle* its most important feature has received scant consideration. This was the encyclopedic compilation of all the news items concerning the spoils system appearing in the press, including letters, opinions and speeches of public men, biographies of Quay, Hill, Platt and other peddlers of patronage, extracts from the criminal record of Tammany Hall, a collection of facts exposing in the fullest detail the absurdities, the injustices and the cruelties of the distribution of official plunder—the assembling in short, month after month, of that array of infinite iniquity which political patronage had brought into our government. This can not be adequately set forth in a memorial like the present one. It is too variegated and colossal. No other paper, periodical or book ever attempted to portray it in such completeness. In this field the *Chronicle* was unique, and its record is today one of the most valuable of the muniments of the history of the spoils system and of the fight to overthrow it. No impartial man can read this record in full without realizing that since the Civil War there has been no greater menace than this to the free institutions of our country.

Mr. Swift, who first of all was a citizen of the Republic and only a "reformer" because faithful citizenship involved vital reform, was, at the time when he saw the need of such a paper as the *Chronicle,* active in his profession, which he had no intention of abandoning. Therefore he had to have his material furnished him and it so happened that his wife was ready and competent to gather this material and was equally willing to do so without thought of other reward than the consciousness of a public service well performed.

McKinley and the Civil Service

Mr. Swift had high hopes that McKinley would maintain the principles of the merit system throughout the entire civil service. The incoming President's assurances in many of his speeches and his steadfast support of the system in Congress had justified these anticipations, but it was still certain that he would

have to meet the constant importunities of office-seekers and their congressmen and might yield to the pressure. The annual meeting of the National Civil Service Reform League was held in Philadelphia on December 10 and 11, 1896, and Mr. Swift was one of the speakers. He refuted the idea that there was a life tenure in the civil service while men could still be removed at the will of the appointing power. He insisted that the law prescribing the four-year term of office should be repealed. However, the reform of the service could be completed even without this repeal by the aid of one unfailing source of progress and success, the will of the President acting under the powers conferred upon him by the Constitution. Mr. Swift declared: "The first principle to be laid down by President McKinley is that there are no offices to be divided as spoils."

But with the advent of the new administration there followed the inevitable "onslaught" of office-seekers, and the President, although most happy in the choice of his cabinet, made many mistakes in the politicians whom he appointed to other important places. Mr. Swift was invited to address the Massachusetts Reform Club on the subject of "McKinley and Civil Service Reform" and in a journal kept by him for a short time during this period he thus records what happened:

Boston, March, 1897

Went to Youngs. Very large attendance. Congressman Brosius, Charles J. Bonaparte, E. M. Shepard and myself were the guests. . . .

The speaking began by 8. Brosius first for nearly an hour. A great mixture of sound sense with nonsense and mistaken notions. [He urged] a very strong support of the law with intimations that it might be well to yield a little to the present clamor. [He was] handicapped by having to glorify McKinley. [Made] some unfavorable allusions to fanatics. . . .

Then came my turn for about 30 minutes. I had given a written speech to the reporters but I largely discarded that and said things I then felt I wanted to say. At the close the applause grew louder and louder and finally led by Howe the Club rose to its feet and gave me three cheers. This was a good deal for the Massachusetts Reform Club. Was much taken aback and heard little of Shepherd's speech. Bonaparte closed and he proceeded to finish up Brosius which he did in his best style.

The contents of Mr. Swift's address are thus characterized by the *New York Evening Post*, of March 29, 1897:

. . . The prevailing tendencies were set forth in a striking manner by that sturdy opponent of the spoils system, Mr. Lucius B. Swift of Indianapolis, in a characteristically vigorous speech before the Massachusetts Reform Club last week. Mr. Swift confined himself to illustrations furnished in his own state. President McKinley has thus far filled three important federal offices in Indiana, and in each case his choice not only is utterly indefensible, but provokes the severest criticism.

The position of United States District Attorney demands conspicuous legal ability and high personal character in its incumbent. This office in Indiana has been given to a lawyer of the most ordinary attainments, whose only reputation has been achieved in the lowest arts of political management. The place of Consul-General at Paris has been surrendered to a farmer-politician without education, breeding, or business knowledge, utterly ignorant of the French language and unable to speak his own grammatically. The Indianapolis News, the great independent newspaper of the state, has said of this selection that "the appointment is so delightfully unfit that it seems a joke," while the Indianapolis Journal, the highest Republican authority, made these indignant comments:

"The requirements of that position are exacting. Mr. Gowdy can neither read nor write the language of the country to which he is assigned. He has no commercial experience or knowledge of the official or semi-official duties of the office, and is totally unfit for the place. He probably deserved recognition for the vast amount of scavenger work he did.

"The marshalship has been given to an open and avowed corruptionist—a man who was active in carrying Indiana for Harrison by bribery in 1888, and who boasted of his achievements at the time. . . . Gowdy helped greatly in securing McKinley delegates to the St. Louis convention a year ago; he demanded his reward, picked out the office for which he was most ludicrously unfit, and his claim was allowed. The marshalship and district attorneyship were given for similar reasons."

But the claims of the spoils hunters were not confined to the unclassified service. It was insisted that Cleveland, by his "blanket order" and otherwise, had deprived Republicans of their fair share of the classified places and a tremendous pressure was brought to bear upon McKinley to repeal or greatly modify this order. He showed signs of yielding, and Mr. Swift on learning this, addressed to him, July 13, 1897, the following characteristic letter:

I do not know how reliable the constantly repeated reports are that you are intending to make extensive transfers of places from the classified to the spoils side of the Federal service, but I desire to enter the most emphatic protest of which I am capable. There is absolutely no demand for such action among the people; the only demand is from a set of heelers who have with few exceptions always been more than paid out of the campaign fund for any services they may have rendered. The pretence of confidential relations is a bare-faced humbug and the

claim has no support in the facts of experience. If there are men holding places in the service for which they are not fitted any such can be disposed of in something less than a minute; but let vacanies thus created be filled by the only democratic method—competition—and not by the method now being urged upon you which is a combination of feudalism, absolutism and piracy. The good of the service forms no part of the motive for which this change is urged; the sole motive is to make places for men who couldn't get them in competition, who are unwilling to do work necessary to make a living and who therefore want to be quartered upon the people. The action urged is impossible of being taken in the interest of the public service. No yielding on your part will lessen the pressure; it will increase it. Quiet will come when it is understood that the spoils system is destroyed—never while there is a possibility that the President may be made to yield and to forget both his own and his party's promises.

Mr. Swift's appeal was ineffectual. McKinley issued an order taking several thousand places from the classified service. The number, however, was not so large as originally estimated. The service in the Philippine Islands was classified and a rule adopted that no removals should be made on secret charges. In administering the law President McKinley was very lax.[1] Many serious abuses were brought to his attention which he failed to remedy. But in view of the wide extent of the service in which the law was still observed the backward movement had not been very disastrous.

Afterward (in 1907) in an address to the Tuesday Club of Richmond, Indiana, Mr. Swift thus characterized McKinley's action:

When President McKinley came, the struggle began to undo President Cleveland's work. To the extent of several thousand places it succeeded after a long contest. It was not so much the number of places as it was the attitude of President McKinley. He was the slave of the organization. Nothing could induce him to punish a violator of the law and the law never ran on the even tenor of its way until the long contest was ended when Roosevelt became President.

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[1] Mr. Swift could not keep his hands off an improper removal or appointment. It was on February second, 1901, during the last year of McKinley's administration that he wrote the following letter to the President:

"I see by the public prints that it is proposed to drop Mr. R. S. Taylor from the Mississippi River Commission and appoint Joseph B. Kealing in his place. You are doubtless aware of the qualifications of Mr. Taylor. He is fitted for any position and is an honor to his state and country. So far as the public knows Mr. Kealing has been simply a political manipulator in the service of Senator Fairbanks. Having been twice elected to the Presidency you can have no interest in this matter except the public welfare and with History. The public welfare will not be advanced by the proposed change but will receive great detriment. If Mr. Kealing is appointed, History will always say that the change was made to give a place to a man as a reward for personal service to Senator Fairbanks; and History will be right. Knowing the demand upon your time, I have thought best to be brief though plain at the risk of abruptness."

ROOSEVELT AND SWIFT

Swift's personal acquaintance with Roosevelt had begun during the Baltimore conference of civil service reformers on February 23, 1889, shortly before Harrison's inauguration. A close and flawless friendship between them was there formed which lasted through life.

Immediately after Roosevelt became Civil Service Commissioner an active correspondence began between the two as to measures desirable for the enforcement of the law and the promotion of the competitive system. Short notes fairly rained upon Swift during Roosevelt's early days upon the Commission.

Two of Swift's early desires, publicity of the eligible lists and the appointment of independent members to the examining boards, not subject to the head of the office, were quickly secured through Roosevelt's active efforts. His visit to Indianapolis with the Commission to investigate the post-office, in March, 1889, had firmly cemented their friendship and the subsequent correspondence bristles with lively accounts of the struggles which Roosevelt and the Commission were having in their efforts to bring to book the violators of the law in Milwaukee, Port Huron, Baltimore and other places.

Sometimes Roosevelt sends to Swift his complete reports of investigations possibly with the view of their reproduction in the *Chronicle,* a periodical in which he was deeply interested.[1] The correspondence was continued on both sides (much of it in autograph letters) during every phase of Roosevelt's career—when he was New York Police Commissioner, Assistant Secretary of the Navy, Commander of the Rough Riders, Governor of New York, Vice-President, President, Editor of the *Outlook* and of the *Metropolitan.* These letters covered many other subjects besides the competitive system. Among these subjects was the administration by the Department of Commerce and Labor of the Chinese Exclusion Acts which Mr. Swift thought was unjust to the Chinese; also Mr. Swift's proposition for a

[1] He wrote to Swift, April 11, 1891: "I must congratulate you on the admirable work the Chronicle has been doing. It fills an entirely unique position among the Civil Service papers."

central bank for rediscount, a precursor of the Federal Reserve Bank system afterward passed during Wilson's administration, but in respect to which Roosevelt then answered as follows on November 9, 1907:

> I agree with your suggestion as to a central bank for re-discount and as a Government depositary, but I do not believe we can get it adopted in Congress and there is very strong distrust of the asset currency system. Congress is much to blame for not acting on the currency, but the chief trouble is that the big business men are absolutely divided on the subject.
>
> It was very nice of you to write me not to be worried by the stock-watering crowd. You may be sure that they do not affect me in the least. If business conditions grow such that a statement that dishonesty will be punished tends to upset them it is a sure sign that they are ripe for an upsetting.

There were discussions as to the character and fitness of men recommended for office; suggestions by Swift as to appointments to some of the higher unclassified places; arguments contrasting independence in politics with participation in party organization.[1] There were many remarks about the Taft campaign, the labor problem, the tariff, the return of the Chinese indemnity, the scandalous articles in various newspapers regarding the Panama Canal, the military situation in the United States shortly after the outbreak of the World War, the attitude of the German-Americans before we joined in the struggle.

Among the very last of these letters is one asking Mr. Swift to help organize the division which Colonel Roosevelt offered to raise for the World War, a proposition which was rejected by President Wilson.[2]

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[1] Witness the following from Roosevelt to Swift in a letter (April 25, 1894):

"There is one point, however, where, as you know, I do not agree with you. For the last thirteen years I have been openly and shamelessly addicted to the habit of primary-going, and I know from my own experience that at times a very great deal can be done in this way. I certainly did succeed in doing a good deal at the time I was in the Legislature. It seems to me difficult to lay down a universal law on this subject; there are times and places where one can do best independently of the regular party organizations and there are other times and places when one can do best by going with them."

[2] "I wonder if you could provisionally supply two or three men whom you believe in and think are fit to raise one or more companies; or rather provisionally to outline their skeletons, so that I could consider them in the event of war and of my being allowed to raise a division? I would love to have some Indiana men. I believe a division is only about 22,000 men. You would be helping us along in the best way by such action."

CHARGES AGAINST THE COMMISSION

But to go back to the correspondence relating to the Civil Service, the conduct of Roosevelt and the other commissioners in enforcing the law so exasperated the Republican spoilsmen that charges were preferred against them instigated principally by Mr. Hatton, of the *Washington Post,* and an investigation was held by a congressional committee from which, however, Mr. Roosevelt and Governor Thompson came out with flying colors, not only exonerated but justified. Swift had taken a lively interest in this investigation and when it was submitted to the committee Roosevelt wrote him as follows, May 6, 1890:

> I enclose you slips taken from the Washington Star giving part of my final argument before the investigating committee. . . .
>
> I do not think I leave a single point unanswered. Of course it was not my place to deal with what the previous commission had done. I am not responsible and do not intend to be held responsible for all of its acts. A funny feature of the case was that Frank Hatton flinched like the cur he is on the last day. He actually did not dare to come around to the committee room to hear our arguments and made no attempt to present an argument himself. He had been told beforehand that Governor Thompson and I would handle him without gloves, and he is even more of a coward than a bully. As soon as the Committee reports, I am going to wade into Congressmen Grosvenor, Biggs and Cummings for deliberate misstatements of which they were guilty in the civil service fight over the appropriation in the House.

Later in Harrison's administration Roosevelt was much disgusted because the President did no more to extend the system. On January 3, 1893, he wrote to Swift:

> I have done my best to get Harrison to classify all the chiefs of divisions but I have failed. If only he was a little more susceptible to common sense argument!

After General Harrison had been defeated by Mr. Cleveland in the campaign of 1892, the questions arose: "Would Cleveland retain a political opponent such as Roosevelt on the Commission? Would Roosevelt accept the position if offered to him? Would he continue his work for the merit system?" On the two last points he wrote to Swift on November 21, 1892, a letter containing the following:

Of course if I quit the Commission I will do my best to help on in the battle. The main reason influencing me to make me think I shall leave is that I question if my usefulness would not be seriously impaired by the mere fact that I would be attacking, not my party associates, but my party foes. I think outside people would have more doubt as to my motives; and moreover I question whether the administration would be willing to endure as much as they did this time. The Commission certainly did all it could to stop political assessments in the last campaign and I wish we had had power to do more. I do not think that any President of the United States would stand higher on the roll of honor than the President who would make the first and most important article in his creed the absolute destruction of the spoils system.

On April 24, 1893, Swift was invited to lunch at Roosevelt's home in Washington and thus writes to his wife of some matters pertaining to the Civil Service Commission:

I went to Roosevelt's at 2 yesterday and lunched. . . . Roosevelt had had a talk with Cleveland Saturday and it is entirely settled that he is to stay on the Commission. Between Lyman and Johnston, (the other commissioners) he has a time of it but he seems to thrive under it. He has more than twenty plans of battles all made out. The first and main one is to prevent a clean sweep in the newly classified offices before the lists are ready for appointments. . . .

I sat with Roosevelt also an hour at the office of the Commission. . . . General Johnston had been threatening to "slap my mouth." At first I thought of not going so as to avoid a difficulty. I had no particular business there but it rankled and I found that it would be impossible to leave without having called at the rooms of the Commission. I called at the secretary's office and at Roosevelt's but did not meet Johnston and came away. He came to the door but Roosevelt hustled him off and did not introduce us. I was disappointed because the sooner such chaps are faced down the better.

On November 28, 1893, Roosevelt thus reviews in a letter to Swift the comparative merits of the Harrison and Cleveland administrations:

I had a talk with the President the other day. It was mostly, however, about the disagreements in the Commission, but I am bound to say that the President on the whole proved much more amenable to reason as regards civil service reform matters than President Harrison ever did. I personally never felt the hope that so many reformers did that President Cleveland would make a radical departure in favor of the reform. I thought that as regards the non-classified service he would do just about what Harrison did—here a little better, and there a little worse. This has proved to be just about the case. President Cleveland is himself, I think, a much stronger friend of the reform than President Harrison, but his party is much more hostile to it than was the Republican party and in consequence the net outcome has been

very much the same in the two cases. Cleveland goes rather ahead of his party but does not think well enough of the reform to be willing to go so far ahead as to jeopardize in any way his party standing. Harrison, on the other hand, did not care to go ahead at all; he merely wished to keep abreast of his party in this respect; and so, as I said before, he and Cleveland stand just about on the same plane in the matter. . . .

As to the disagreements within the Commission, he says:

It has become wholly impossible for the work of the Commission to go on any longer. An open rupture took place over the annual report. General Johnston sent in a separate one, the main feature of which was an attack upon the classification of the free delivery offices. I saw the President and told him that I thought he would certainly have to remove either the General or myself. Very possibly he will remove both. . . .

P. S. The General has just been removed from his office. This is an excellent thing in every way.

ROOSEVELT AS POLICE COMMISSIONER

When Roosevelt resigned from the Civil Service Commission to become head of the Police Department in New York City Swift wrote to him and on April 27, 1895, he thus replied:

No letter that I have received about my change to New York has pleased me as much as yours, for you are the only correspondent who has understood how I felt about the Civil Service Commission. I have for six years given all my energy and all my heart to the work. I can honestly say that I think I have accomplished something, and that the cause has made during those six years far more progress from the moral than even from the material side, though the latter, as shown by the figures in the increase of the classified service, themselves, is sufficiently great. I entirely share your belief that the Commission must not be dependent upon any one man. In the first place, I think the whole spirit of the Commission has changed. Mr. Procter has been on with me a year and a half. He is as high-minded and upright a man as I ever met, and our methods and desires are identical. I know that he will continue the work when I am gone precisely as he and I have carried it on while I was there. I can't help believing that any new appointee will do the same. I am continually receiving letters from men who say that they don't see how the Commission will get along without me; that I am essential to it, etc. In the first place no man is essential. There are always plenty to fill his place; and secondly, I think it unhealthy to encourage a feeling that a given man is all important.

As for what I can do in New York I confess I feel rather doubtful. The legislature has refused to pass the police bills it ought to have passed, and I haven't any certain knowledge of how much power I will have. Of course very much depends also upon who my colleagues are. Then I fear that the reformers, in following the lead of Dr. Parkhurst, may expect too much. There are certain evils which I fear cannot

possibly be suppressed in a city like New York in our present stage of existence. I shall do my best to find out how to minimize them and make them least offensive, but more than this I fear, cannot be done. As for my own course, I am, as you know, in national matters a strong Republican, and differ from most civil service reformers I think, in being an advocate of a vigorous foreign policy, but as Police Commissioner I am sure I do not have to say that I will be quite incapable of considering any question of politics in the execution of my duty, whether in the appointment or removal of a man, or in the adoption of a line of policy.

A few months afterward from the Police Headquarters he wrote to Swift as follows:

July 12, 1895.

. . . If ever I wished an absolute proof of the need of an application of the principles of the Civil Service Reform, it would be furnished by my experience in this office; and my three colleagues are at one with me on this point.

We have not made an appointment, a promotion, a reduction or a discharge of any kind for political reasons. We do not try to divide the office up according to parties. We do not even know the politics of the men we discharge or appoint. . . . I do not suppose there is a Department in the country, which has as hard work before it or such desperate enemies to fight as ours; nevertheless, I think we are going to win.

Incidentally perhaps we may put Tammany Hall temporarily back in power but we are enforcing the laws as they never before have been enforced; we are attacking corruption as it never before has been attacked; and we are for the first time, absolutely and really ruling politics out of this Department. I think it is a fairly good object lesson.

ROOSEVELT AS GOVERNOR

In 1898, when Roosevelt, after returning from Cuba at the head of his Rough Riders, was considered for the nomination for the governorship of New York, a small party of Independents in that state who had organized as a "Citizens Union," asked him to become their candidate. He was not then willing definitely to pledge himself to this; afterward he accepted the nomination at the hands of the Republican Convention, whereupon the "Citizens Union" repudiated him and nominated another candidate who later received only a few hundred votes at the election. They became very bitter against Roosevelt even charging him with bad faith.

Swift, who had been a warm supporter of Roosevelt, wrote to him many years afterward the following letter reviewing this disaffection and bitterness:

WATCH HILL, R. I., July 7, 1913.

MY DEAR COLONEL ROOSEVELT:

Just before I left home, I read in the last Outlook what you say about a most interesting period. I have never been able to understand the attitude towards you of our Eastern Civil Service Reform associates, taken as a body. Of course, there are notable exceptions like Dana.

I had worked with you during the eight years I published the Chronicle, and during all that time, it steadily set out with strong approbation the work you were doing, and with me it all came from the heart and was strongly believed in. During all of that time, I never heard one word of dissent. I was therefore astounded when, upon your return from Cuba, they took ground against your becoming Governor of New York. The first and last one who spoke to me was Carl Schurz. He invited me to dinner one day, I think for that purpose. I heard him through, impressed with the puerility of part of his argument and with the utter injustice of the remainder, and gave him a short answer in plain terms and the subject was dropped. I have sometimes thought that if I had followed the matter up I might have brought over all but the Evening Post; but this same crowd had not supported me when I was warring against Cleveland in Indiana during his first term and my feeling was that they might go to the devil. Their utter childishness in judging men was their most noted characteristic. Now, as to the line which you draw, that the crowd turned their back when the grip of the interests was threatened, I have a feeling that George William Curtis would have been with us. I am not sure also that Schurz, whose natural bent was our way, would not have finally come in, if he had lived. I visited McAneny in 1908 at Lake George and he seemed very friendly to you. I can understand Oswald Villard and the Evening Post, and I think as to both your statement is true that they balked at doing anything which would loosen the grip of what is commonly referred to as "the interests." . . .

I should modify a little your statement that the merit system was not the greatest reform. It was about the only reform going at the time, except the currency, and in its time, it was I think, the greatest reform. But, compared with the gigantic revolution comprised in the words, "Social and industrial justice" the merit system is a mere detail; *but it is, I think, an essential detail.*

I do not know what the future has in store for you and as to that I know you are entirely indifferent. But the credit of marshalling out of a chaos of agitation and discussion, the principles of social and industrial justice and putting them in shape so that a political fight could and can be made for them history will give to you. . . .

During Roosevelt's campaign for the governorship Mr. Swift addressed a letter to the *New York Evening Post,* one of the papers opposing him, containing the following:

I wish to urge that he remains today the ideal man for governor of New York. . . .

I have known intimately a large part of his official career. Others have proved recreant to their trusts and Independents have overlooked it, but they have never been called upon to do that with Col. Roosevelt.

He has never dodged, he has never made excuses, he has never hesitated, he has feared no man; his whole official life has been a model of manly performance of duty, guided by those principles which we all know so well, and which alone can drive bad government out of this country. The promise for good in his election is undiminished, and is not only for your state, but for the whole country. . . .

The *Post,* though opposed to Roosevelt, published this letter on October 16, 1898, on its editorial page and in an editorial comment said that Swift had worked with Roosevelt and was beyond question sincere. The letter was afterward circulated as a Republican campaign document in New York.

Roosevelt carried the state by about 20,000.

When Roosevelt entered the executive office, the civil service of the state was much demoralized. His predecessor was determined to take "the starch" out of the competitive system and a law had been passed which gave ample room for political manipulation of the classified service.

Roosevelt was determined to undo this mischievous work and he strongly urged upon an unwilling legislature the need of repealing this law and of enacting another which should restore the service to its former basis. After a hard struggle the law was enacted and Roosevelt writes the following note to Swift, April 19, 1899:

The first letter I sign after signing the civil service bill just passed by our legislature is to you. Last year when the majority of the men with whom I had been associated in working for such measures as the civil service reform bill opposed me, either directly or indirectly, and when I felt rather bitterly about their action, I took particular satisfaction in your letter. I very deeply appreciated it, just as I deeply appreciated the attitude of Foulke and one or two other men. I made up my mind that you should have no cause to regret the step you had taken. There has not been an appointment I have made which was not such as I would always theoretically approve making, and not an act I have done which I would not be only too glad to explain to any one, or a conversation I have held which I would not have been quite content to have had any honest and intelligent man hear. I have been rather saddened by the fact that the great bulk of the people continue so utterly indifferent and even in a luke-warm way hostile to the civil service law. I have never in my life had to work for anything quite as hard as I have had to work to get this "restarched" civil service law passed. But it did pass and I am more relieved than I can say. . . .

Roosevelt's administration though highly successful in the

eyes of the general public was so distasteful to the politicians who were seeking control of the patronage, that they urged his nomination as Vice-President to get rid of him. Swift wrote to him advising him not to accept it. He thus answered on February 13, 1900:

I thank you heartily for yours of the 8th instant. I cordially agree with you. I shall certainly not under any circumstances accept the vice-presidency.

Is it impossible for you to get on here? I would like very much to have you not only meet my civil service commission, but meet the various officers under me in the departments. I can conscientiously say that there is nothing that I have done that I would not like to have you know everything about. I get at times indignant with the Evening Post because I fear it may make some of my friends misunderstand what I am doing. I wish to state in all seriousness that though I have met many politicians whom I distrust and dislike during the past year yet there are none whom I regard as morally worse than the editors of the Post, who persistently and deliberately lie about me, seemingly because I am an expansionist. One of their editors, Bishop,[1] left them the other day, part of his reason being that he had declined to obey their positive orders to suppress the truth about me and to tell an untruth about me, the answer to his remonstrance being that "the policy of the Evening Post is to break down Roosevelt." He had never been much of a friend of mine, and indeed I had often thought his comments exceedingly unjust and unfair, but he was not willing to acquiesce in the deliberate suppression or perversion of the truth.

ROOSEVELT AS PRESIDENT

After Roosevelt became President, Swift was repeatedly invited to visit him at Oyster Bay. One of these visits, during the campaign of 1904, after Roosevelt's renomination, is thus described in a letter to his wife.

ST. DENIS HOTEL, NEW YORK
August 24, 1904.

I was at luncheon at Oyster Bay yesterday with Senator Lodge, a Dr. and Mrs. Lambert and a young Hinckly, just graduated from Harvard.

What Roosevelt wanted to see me about was his letter of acceptance and we took a session at it before luncheon and immediately after, until half past three when I had to leave to catch my train. I went at the letter hammer and tongs and got in a good many points. He was thoroughly ready for criticism. Lodge left at once after the luncheon

[1] It was Joseph B. Bishop who afterward wrote the authorized biography of Mr. Roosevelt and to whom the latter confided his voluminous correspondence for the purpose.

and I only saw Mrs. Roosevelt at the table. Roosevelt made me take home a book to read and is going to send me two volumes of his speeches. As I left he was going to umpire a match game of tennis. He regards his campaign as a battle in which he must be the leader and he is thoroughly enjoying it. He is in abounding health and his blood is up. . . .

Two days later Swift wrote to his wife again:

. . . Roosevelt has sent me a copy of his letter to the two Oregon senators about a land office appointment. The letter is a model. There was a rascal in the land office and Roosevelt determined to have him out. The senators recommended another man just like him and Roosevelt refused to appoint him. Then they refused to make another recommendation and Roosevelt promptly filled the place on his own hook and then wrote this letter to the senators. It is the tone of these letters and the tone of the talk about such matters that make him enemies among the party managers. It is very masterful and dictatorial but it is the tone I have always advocated and he is the first President to take it. He refused Lodge at Oyster Bay some spoil that would have touched upon the civil service rules. I studied him carefully this time and I can see it is his emphatic saying, "I will" and "I won't" that congressmen have not been used to and it makes them mad. I also see that he is one of the greatest political managers in the country if not the greatest. He can beat old politicians on their own ground. But along with this goes the reform side of him in which he is just as bold and outspoken and which he has pushed along better lines and farther than any President we have ever had.

It was more than a year later that we hear from Swift again in the following letter to the President of January 2, 1906, about the book that Roosevelt "made him take home."

I am very much ashamed to discover that I have never returned to you the volume on Hayti which you kindly loaned to me at Oyster Bay. I now send it by express and there being in existence no excuse, I can only hope that you have not thought of it. I have read the volume carefully and this with many other occurrences has rid me of my original view, that if people occupy a territory they must not be interfered with no matter what they do. I am now convinced that they have a duty to govern themselves with reasonable regard for the welfare of neighboring peoples and that if they neglect this duty they may be compelled to perform it. . . .

Your course as President has received such universal approval that it seems almost an impertinence for me to write an individual letter along the same line. I have many times thought of writing congratulations of particular acts but before a letter could be written some new crisis in which you took a stand I admired made the other an old story, but I wish to speak especially in praise of your course in the discharge of the negro companies[1] and your determination to stand by it.

[1]These had misconducted themselves at Brownsville, Texas.

Then there is a long string such as laying the foundations and getting the Panama Canal so far along, the Russian peace, the pure food law, the meat inspection law, the prosecution of malefactors and a lot of other things for which the people with one voice give you the credit. This is a tremendous presidential record and you may well believe that no one else is so pleased as I am. I am particularly gratified that Congress has at last met its match and like a boy whipped off to school has been driven to recognize that there is such a thing as a progressive government.

ROOSEVELT'S VISIT TO INDIANAPOLIS

Later in Roosevelt's administration (May 30, 1907) he came to Indianapolis to deliver an important speech. He was to be the guest of Vice-President Fairbanks, with whom, however, his political relations were not altogether harmonious. The managers of the meeting had been at some pains to keep Mr. Swift's name off the list of prominent Hoosiers who were to meet the President. But on the train Roosevelt remarked to Fairbanks that he very much wished to see his old friend Swift, of whom he spoke with characteristic heartiness. A telegram was immediately despatched, inviting Swift to the Fairbanks residence. Swift in a letter to his wife, who was then in Europe, thus describes the occasion:

Yesterday Roosevelt was here. I was completely frozen out by the Fairbanks crowd and was at the office just writing a note to Loeb expressing my regret at not being able to get at the President to greet him when this telegram came from Muncie:

"The President would be glad to see you at my house at any time after our arrival

CHARLES W. FAIRBANKS."

This of course was rather pleasing especially when I had just been reading the list of the reception committee which had such names as John Cockrum and Joe Kealing, and at the Fairbanks luncheon he had invited such as Tom Taggart and Mose McClain,—of course with *some* good citizens. I went just as I was from the office and it must have been a bitter pill for Fairbanks to have to receive me. The only open friends of Roosevelt I found there were Harry New and Beveridge. I had quite a little talk with Loeb and with Beveridge, who was very mad that the Fairbanks crowd were using Roosevelt for a show. Then Roosevelt came down and (after his pointed invitation) I became the guest of honor for a while. It was proposed to present me first but I declined until after Judge Anderson and Admiral Brown had been presented. Then came my turn. We talked about you and Roosevelt said he hoped his letters of introduction [to American Ambassadors in Europe] would be of some use to you. When he said, "Aren't you coming to Washington?" I said I could not now. He said, "There are a million things I

want to talk with you about." I said, "There are ten million I want to talk with you about." He said, "Well, if you come later, come to Oyster Bay." This was in the hearing of the whole room full of his enemies and mine and was highly gratifying to me. Then I was invited out to have my picture taken with the rest and then I quietly slipped away. In the afternoon I got near enough to hear his speech and it was a great one and will be heard around the world. There were 100,000 people.

SWIFT'S VISIT TO OYSTER BAY

The visit to Oyster Bay followed in due time, for Swift writes to his wife:

I went to Oyster Bay from New York, July 24th. Just before I got there I saw a man in front carefully wiping off the dust and straightening himself out. He wore gloves and was in a fresh suit and I guessed that he was also going up to Sagamore Hill. He was, and turned out to be the postmaster of New York whom Gov. Hughes had just appointed chairman of one of the utilities commissions. His name was Wilcox. An automobile was at the station to take us up. Here appeared another guest, Wilson, a Harvard man, who has lived a year in Japan and now holds a place in the Boston Museum.

After the usual hearty reception the President took Wilcox into the library for a private talk and sent Wilson and me into what he called the North Room. We went down two or three steps into a very large room which I think is a new addition and is like the large lounging room of a seaside home. The floor was covered with trophies of Roosevelt's hunts—bearskins, wolf skins, wild-cat skins, which now and then made a subject of conversation. Then a loud bell rang and soon after the President appeared and invited us in to luncheon. . . .

The luncheon was not long drawn out and when we arose, President Roosevelt asked me to come with him and Wilcox as he wanted me present to hear about a matter he had sent for Wilcox to go over. We went into the library leaving Wilson with Theodore Jr. The President then stated that the appointment of Wilcox to be the head of one of the new Commissions would make a vacancy in the New York postoffice. That he was anxious to promote the assistant postmaster who was the best fitted man for the place and it would be a promotion for which he was recommended by everyone from Tom Platt to the most ultra-reformer. But in looking up his record it appeared that some years ago checks had passed between him and one of the men of the Machen crowd[1] and that when asked to explain the transaction he refused. Then the President stopped and waited for me to speak. I said that I would never appoint him unless he cleared that matter up; that times had changed. Once such an appointment could be made and put down to necessary politics but now the appointment would bring a storm about the President's head. He said, "That's just what I think." I said that aside from that he would not want to appoint him. The day of appointing grafters had gone by and if this man had been a grafter and was appointed, fairness required that his partners now in prison should be

[1]Machen was shown to have been guilty of corruption.

pardoned. If he had not been a grafter he could easily clear the matter up. The President said, "I agree with you exactly. Before I appoint him he must not only explain the matter and clear it up but he must also explain why he refused to explain the checks at once when called upon." There was some other talk but this was the substance. I noticed that after this Roosevelt did not enter into other topics but evaded and cut off discussion. Finally he said to Wilcox, "You will have to hustle to make your train." I also rose but he took me by the arm and said, "No, I want to talk with you." Wilcox left and then we began a long talk. He said as to future legislation, he felt that some additional law ought to be passed relating to corporations. I asked if he meant in the way of stopping watering stock and he said that was it. Then he said, "I hope you agree with me that the time has come for a thorough revision of the tariff" and I said I did. He said, "I am a protectionist but some of the duties are too high and others need re-adjusting." I suggested that he could not hope to get a tariff revision law through in his present term. He said, "I do not. I shall not make the mistake of asking for two things at once and have them play off one against the other and beat both. I shall ask for the corporation legislation at once and then when that is far enough along to be safe I shall—perhaps by March—send a message to Congress on tariff revision, but I cannot hope to get it through during my term. At this point Mrs. Roosevelt passed through the hall seeing two ladies out. They were going on foot and the President rose and said he would go a piece with them. They started and then Mrs. Roosevelt called, "Theodore dear! Wait! I must go too."

In a few minutes he came back and I said I should like to know something about the next nomination. He said, "I am frank to say that I prefer Taft, but I shall not attempt to dictate the nomination and I certainly shall not use the office-holders to control it. I know Taft well. He is capable of handling large matters. He is a man of the greatest integrity. Nothing can turn him from a course he believes to be right. He believes in what we are doing and I would rather have him succeed me." I said that of course Taft would be preferred by all of the President's friends but how soon could we know anything as to the probable prospects. He said he thought by December. He doubted if the New England delegates would be for Taft. Lodge would be for Taft but he could not tell whether Crane would be. Lodge wanted to put the case to the enemies of Roosevelt that unless they took Taft they would have to take Roosevelt. I said if it were put that way the entire West would say "That settles it. We'll take Roosevelt." And I told him, that so far as I could see if he were running again he would get about all the votes there were. The tears came to his eyes and for an instant he choked up, saying that it was very gratifying to him. I expressed the opinion that Fairbanks stood no chance of the nomination and he agreed. I should say the President opened this talk about the nomination before he spoke of Taft by saying that he had refused to accept a re-nomination at first and then the papers had started a doubt and he had refused again and then after a while another doubt was started and he had re-stated his position three or four times but that he should not refuse again. It seemed to do no good and he did not care to become ridiculous.

We talked a long time but these were the two great topics. After Wilcox left we spoke of Oswald Villard's attitude about the new postmaster appointment. I suggested that if he promoted the assistant, the Post would jump on him for taking a grafter but that if he refused to

promote him the Post would say he had again gone back on his reform professions. This was of course joking, but it illustrated the attitude of the Post, which I told him I could not understand. He said he could not—and he did not seem to be keeping back anything. He suggested that it was possibly the result of the ultra reform mind of Oswald Villard. I said I had the impression that it must be some personal feeling. He said, "Perhaps so."

He also spoke again of the New York postoffice and said it was a place of the greatest importance and was one where the right man could render the public a great service. That it needed some such man as Seth Low, but he said, "Seth Low does not want it but wants to be ambassador to St. James." Then he added, "I don't know of a more useless man to the public than the ambassador to St. James."

RESULTS OF ROOSEVELT'S ADMINISTRATION

During Roosevelt's administration, the merit system advanced as never before or since. The classified service had been extended by including the Rural Free Delivery; the field branches of the War Department; the Spanish War employees; the permanent Census Bureau; the labor service by means of a registration system; other portions of the Indian Service, and Fourth Class postmasters in the region north of the Ohio and east of the Mississippi. The competitive examinations were tripled in a single year (1902-3). The rules were changed to stop leaks and prevent political activity and lobbying by employees in the classified service and most important of all the law was vigorously and impartially enforced. Those who disregarded it were dismissed and those who violated its penal provisions were prosecuted. The competitive service became an honor to the country. This was the golden era of civil service reform.

That is not to say that the merit system had been completely established even in the Federal service.

"COERCION OF OFFICE-HOLDERS"—SWIFT'S REPORT

There was one step in the abolition of patronage which the President did not take because he was satisfied that it would lead to disaster. In making nominations to all offices which under the Constitution had to be confirmed by the Senate and

were therefore outside of the classified service, he did not ignore the recommendations of Congressmen, but he insisted upon determining for himself the qualifications of the man recommended. If he were a bad man the recommendation was not adopted but if it were a reasonably good appointment, the recommendation of the Congressman was followed. Any other course he believed would have led to the wholesale rejection of his nominations by the Senate and to the disastrous mutilation of his executive power.

He had refused to be renominated in 1908 and had expressed his belief that Mr. Taft would be the most desirable man for his successor. It was immediately charged by the friends of other candidates that he was coercing all the officers and employees of the government to the support of Mr. Taft.

This charge was published in some of the leading newspapers of the country and the National Civil Service Reform League was urged to make an investigation. Indeed it was intimated among friends of the merit system, including certain members of the League itself, that there was probably much which needed to be disclosed. While Mr. Swift and Mr. Foulke did not believe this would affect the President, they favored the investigation, feeling that it was due to Roosevelt as well as the public. He was informed of an interview in which the matter was discussed and wrote in a letter to Mr. Foulke on February 25, 1908:

> . . . I have not the slightest objection to their conducting such an investigation, only I want it conducted honestly. I am inclined to insist that the first State to be investigated shall be Indiana. To Goodwin,[1] or you or any reputable man full access will be given to our files concerning appointments. I suggest that whoever is to do the investigating take up in detail the whole matter as it is in the Department of Justice. I do this because Mr. Bonaparte knows both the qualities and defects of civil service reformers and what I want to avoid is the Evening Post, Boston Herald and Indianapolis News type of reformer making a report filled with unctuous disapprobation of conduct in me which they would not dream of condemning in anyone else. In other words I want real justice. I should suggest that they investigate the Department of the Interior under Secretary Garfield, notably the Indian Service, for the same reason; then investigate the Post Office Department and the Treasury Department, which are the two great "patronage" departments;

[1] Secretary of the League.

also the Department of State, to include what has been done with the Consular Service.

Can not Swift, just for his own satisfaction, come on here for a couple of days, and I will turn him loose to look at everything in every Department? He need not make any report about it, but I would like him to know exactly how things are.

Mr. Swift together with Judge Samuel H. Ordway, Richard H. Dana, Robert D. Jenks and Elliot H. Goodwin were appointed a special committee to make the investigation. It consumed several months and was so exhaustive that it could not be concluded until after the election of President Taft. It was evidently anticipated that there would be revelations injurious to the President and on November 23, 1908, Roosevelt wrote to Mr. Foulke as follows:

If it were worth while feeling indignant with the Civil Service Reform Association over some of their acts I should do so. But they amuse me. If they make an attack in connection with the use of the offices to nominate Taft, all I wish is that you or Swift would give me the opportunity to furnish a few words, not in the way of answer but of comment on my accusers. The attack on Taft's nomination by the "Allies" was corrupt and infamous; and it was backed by most of the Mugmumps. I dictated to the office-holders just one thing and that was that they should not be for my renomination. The only use I made of my position in my control over them was to prevent many of them doing what they earnestly desired to do, insisting upon my renomination. Outside of that they followed my lead simply as the great majority of the Republicans followed my lead in their several communities; and literally the only difference was that in Ohio a good many of them went against Taft, and in the "favorite son" states they reluctantly went for the favorite sons to much greater extent than the non-office holding population did. I have seen Greene of the Civil Service Commission and he tells me the Commission investigated every instance of alleged political activity in the classified service. Outside of the classified service, from Cabinet officers to postmasters, the Civil Service law does not apply, save in certain narrowly limited cases, as to which it was strictly enforced. Never before in a political campaign has there been, as there has been in this campaign, a number of removals for violations of the Civil Service law during the heat of the campaign contest.

A copy of this letter was sent to Mr. Swift.

When the report appeared it disclosed many serious abuses at primaries and conventions. It was evident that considerable portions of it, such as the following, were from the pen of Mr. Swift:[1]

[1] *Good Government*, April, 1909.

In Indiana the Republican organization has been for years controlled by what is known as the Fairbanks machine. The head of the machine all the time has been Joseph B. Kealing, United States District Attorney. In the seven years during which he has held that office, he has devoted much time and effort to building up and strengthening that machine. It covers both state and federal politics. It forced the nomination of the recently defeated candidate for governor. Kealing was a delegate to the last national convention and had charge of the Fairbanks candidacy. A considerable number of federal officeholders in Indiana are opposed to the machine. On one side or the other in the governorship nomination, nearly every federal officeholder in Indiana in the unclassified service was desperately engaged, and their activity was of the same kind and nature and included the same waste of public time and contained the same element of advantage over private citizens, whose time was not paid for by the government, as in the case of Mr. Kealing.

But the report declared that President Roosevelt had taken no part in such political activities. On the contrary he had done what he considered practicable to prevent them. He amended section one of Rule L of the civil service rules by adding the following paragraph:

Persons, who by the provisions of these rules are in the competitive classified service, while retaining the right to vote as they please and to express privately their opinions on all political subjects, shall take no active part in political management or in political campaigns.

Of this the committee reported as follows:

The enforcement of this rule was thrown upon the Civil Service Commission and the Commission has performed its duty. The order is an epoch in civil service reform. The competitive classified service now embraces 22,125 places and the holders of these places are confined to the quiet and efficient performance of their public duties and are completely absolved from the quasi-feudal allegiance which compelled them to devote time on demand, to running primaries and conventions. This is the tremendous victory which civil service reform has won.

These words were evidently written by Swift.

The committee concludes its summary of the evidence as follows:

In the heat of the campaign the League was called upon to investigate the alleged use of the patronage by the President to secure the nomination of a particular candidate. This committee is of the opinion that such a charge cannot be sustained and that evidence to support the newspaper allegations to this effect is utterly lacking. Presi-

dent Roosevelt's appointment lists, covering a considerable period prior to election were, with his permission, examined by a member of this committee. From these lists it would appear that presidential appointments prior to the convention were made in the usual manner on the recommendations of senators, representatives and others claiming the patronage of the offices involved. The conditions to which the report calls attention are a product of the spoils system and in the South, of the chaotic political conditions resulting from the Civil War. The growth of the evil is a matter of history covering several decades and the blame for its present threatening proportions cannot justly be charged to any one man or body of men, least of all to the President who has done more than any of his predecessors to limit its scope by additions to the competitive service and by an absolute prohibition against political activity within that service.

SWIFT CRITICISES TAFT

Almost immediately after the inauguration of President Taft, Roosevelt started upon his journey to Africa, and on his return through Europe visited the crowned heads and chief executives of many countries. But during his absence, Taft had disappointed many of the friends of Roosevelt by apparently adopting a policy quite different from that of his predecessor, which the Republican platform had promised to continue. Gifford Pinchot who had been at the head of the Forestry Bureau but had been dismissed by Taft, had gone to Europe and conferred with Roosevelt on the causes of the dissatisfaction. Swift addressed to the former President at London the following letter on May 5, 1910:

I have no doubt but that you have had presented to you at great length all sides of the tangle in which we are and I shall not go over it at length.

With regard to conservation Gifford Pinchot must have given you all the facts. It seems that Ballinger is to be whitewashed by the Congressional committee but that will not make the least difference with the almost universal opinion that he is the next thing to crooked. And in this whole matter Taft blundered from the beginning to the end.

In the tariff matter, the interests had possession of all the committees and in a perfectly cold-blooded way they set about to prevent any reduction to the extent that prices would be reduced and in some cases like the cotton schedule they increased the tariff and prices have increased accordingly. They were tricky from the word go, for instance, as in glass, where they reduced the tariff on that kind of which only a small amount is imported. The difference in cost of production between here and abroad was the foundation of the rule of protection. Yet they headed off every attempt to find what that difference was and

struck out of the bill the provision for a tariff commission whose particular business was to ascertain the difference. I followed the Congressional Record very carefully and the debate was the greatest which has occurred since the Civil War.

Taft could have given notice that there would be the right kind of a bill or no bill at all. But he laid aside the Big Stick and sat quiet until the bill was in conference and then he interfered and coaxed some reduction. Cannon and Aldrich went as far as they found they had to go, and then stopped, and Taft signed the bill. He could have then announced that the country was entitled to more and must get it, but he fell down and worshiped the law and questioned the party standing of the Republicans who voted against it. It was this Winona speech that alienated the whole Western country from him and made him seem rattle-brained and childish and utterly to fail to comprehend the tariff situation. He has followed up his Winona speech at different times in the same vein. . . .

Our campaign was coming on and the Congressional committee was circulating stand-pat speeches in Indiana and I wrote Taft a letter trying to make him see that there was room enough for the progressives in the Republican party and that these stand-pat speeches ought to be kept out of Indiana. This letter he answered and I enclose a copy of both his and mine. While his is marked personal he has let the whole correspondence out to numbers of people and even let the substance of his letter get into the papers so I feel I do not violate any confidence.

I have tried to make this letter as short as possible but so far as my opinion goes with you, I wanted to let you know what it was.

To this letter Roosevelt sent the following answer:

DORCHESTER HOUSE
PARK LANE W.
May 18th, 1910.

DEAR SWIFT:

Your letter gave me just the information I wished. Can you get to New York to see me and if possible to spend a night with me, sometime early in July?

Faithfully yours,
THEODORE ROOSEVELT.

LAST VISIT TO OYSTER BAY

Foulke had also been invited and on July sixth the two went to Oyster Bay together. Swift thus wrote to his wife describing the visit:

. . . Ethel met us at the door, excused her mother and said her father was expected from New York at once. Then up to our rooms and a little washing and down again to the verandah and he came. Ethel and the three boys had run down the road to meet him and they all came in a heap. At the same moment came John Burroughs. After the usual

Roosevelt greetings and a careful introduction to all the boys we men went out for cold tea. The talk ran back and forth from birds and animals to politics. . . . Roosevelt began to show us things including rare and choice old books on hunting. We were in the large living room when he pointed to a large vase and said, "The Imperial Kaiser gave me that." It had handles on the sides and a cover and was a kind of squat caricature of a slop jar with the Kaiser's picture emblazoned large upon the side. It was German taste. . . .

The butler came and announced dinner and Roosevelt exploded with astonishment that the time had gone so fast. He asked if the dinner could not be put off until eight o'clock and this was done. It was now seven and we started up to dress. At the foot of the stairs he stopped Foulke and me and putting a hand on the shoulder of each, he said, "I could cry over Taft," and as we went up he said, "It is a case of a lieutenant who did well but who failed when he came to the head." We then went into my room and shut the door and he said, "I will talk to you with perfect frankness. I would not consider another nomination unless it were practically universally demanded." I told him if that was all there was to it the demand would be universal—that in fact it was so now.

At dinner the talk ran on Africa and politics was not mentioned. Kermit here showed at his best. He is a thorough gentleman in appearance, accent and manner. He often helped out his father and told a lot of things about animals himself. This talk was particularly in Burroughs' line but was as interesting as anything could be to all of us. . . . The dinner was very simple and did not last long. Then we went on the verandah and there was coffee. Mrs. Roosevelt went away after while but came back about ten. Just then Burroughs asked permission to retire and I suggested that perhaps we all ought to go, but Mrs. Roosevelt said, "Mr. Roosevelt wants to see you. Sit down awhile." The Colonel came back and we sat there until nearly midnight and when we rose to go to bed I felt that I had looked right into Roosevelt's heart. He kept nothing back. The Lodge matter took a long time for I kept quietly suggesting objections to his speaking for Lodge.[1] He finally blocked out what he would say for Lodge. He will dwell upon his long and valuable service to New England running over the years preceding the Payne tariff and completely omit that and will give Lodge credit for marshalling the stand-patters to vote for the $250,000 appropriation for the tariff commission. I said, "The people will see right through that speech and will say that you are making it out of personal friendship, but I don't see now that it will do us any harm in the West." The fact is that it will be a censure of Lodge's course on the tariff.

Step by step we got to the point where he said he would make one political speech in Indiana and for Beveridge. He will make it entirely upon principles and every one of those is an insurgent principle. He believes exactly as we do.

The talk drifted from time to time. He said, "I know I am now at the crest and the time will come when I shall be in the hollow; but I can swim just as well in the hollow as on the crest."

While he was taking Burroughs up stairs, Mrs. Roosevelt said, "I am utterly opposed to this idea of his being President again." I suggested that it might save a party defeat but she said, "The party is going

[1]Lodge had supported the Payne-Aldrich Tariff Bill.

to be defeated anyway and would have been before this had he not pulled it out. Its time has come."

I asked him if he had any objection to telling us how he sized up the Kings. He said, "Not in the least." And then he went through the list. He liked the King of Italy, but most of all, Haakon (of Norway) and his wife, and said he wished they lived at Oyster Bay so that he could see them every day. He says every king is facing a possible republic and that the King of Italy said that he wanted to train his two boys so that either of them would be fit to be the first president of the Republic of Italy.

I asked him if Taft was worried. He said, "Not in the least." I asked if Taft saw that he had made any mistake. He said, "Not one. He thinks that he has made a great success and is contented and happy." Then I said, "He is hopeless."

He said that at one time Lodge was strong for me as civil service commissioner. That Lodge was absolutely not controlled by the interests. He recognizes that Taft may get on so as to be renominated and he has warned Pinchot not to put himself in a position where he could not support Taft.[1] It is plain that he thinks that Taft if nominated will be defeated.

The next morning we were tapped up at 7:30 and down to breakfast at 8. Ethel and Kermit were on their way to New York in the auto. The boys looked as though they had been out of bed about two minutes. We had a jolly time and left at once.

The foregoing correspondence and visits show Swift's relations with Roosevelt but most significant are the words of Mrs. Roosevelt in a brief note to Mr. Swift on October 26, 1910, in which she says:

I can never be sufficiently grateful for your understanding sympathy on which Mr. Roosevelt depends and which has never failed him.

ROOSEVELT'S DEATH

Their subsequent intercourse in regard to other matters than the civil service will be hereafter narrated. It is sufficient to say now that when, on January 6, 1919, it was ended by Mr. Roosevelt's sudden death it was hard to realize the full force of the blow which had fallen. On January fifteenth, Mr. Swift thus writes to Mrs. Roosevelt:

I have been in a daze ever since this mighty loss suddenly came upon the country—upon a hundred million Americans who never leaned

[1] He also remarked that he hoped his friends would not put themselves in this position, thus clearly showing that he did not at that time intend to become a candidate and that his final determinaton to do so was brought about by things that happened afterward.

upon and needed Colonel Roosevelt so much as now. I can not realize that his voice is stilled, and indeed it is not. His words which always rang so true and which in these war years gathered force and volume as never before, alone called the country to its duty, will go ringing on, and side by side with Washington and Lincoln, he will go down from generation to generation.

My more than thirty years' acquaintance is now all the time in my thoughts and when I recall all that he has said and written to me, I know that he liked me. A multitude of Americans can say the same, but this is my gift which he has left to me and no matter what cares may come, this remembrance will always bring peace and rest.

Mrs. Roosevelt answered:

It is quite right. Theodore would have chosen to go before his sword was sheathed. His heart has been sad since Quentin fell and to keep up the fight was a constant effort. He loved you always.

Such was the friendship between Roosevelt and Swift—mutual confidence and unmixed devotion to the public welfare. Life can furnish few instances of an intimacy more noble and disinterested.

TAFT AND THE CIVIL SERVICE

Mr. Taft was personally a sincere friend of civil service reform and during his administration he made further extensions of the classified service. Indeed it then reached a higher percentage of all the officers and employees of the Government than at any other time before or since, but his administration of the law was far less vigorous and effective than Roosevelt's. He made a change in the rules in regard to the vast numbers of employees who served as carriers in the rural free delivery service as well as those fourth-class postmasters, classified by Roosevelt, which was extremely disastrous in its consequences. Roosevelt had provided that in these very extensive branches of the service the man who stood at the head of the list in the competitive examination should be appointed. President Taft changed this and provided that the choice should be made by the postmaster general of one out of the highest three. The choice of one out of three had worked very well in other branches of the service where the eligible lists were large

but in these places where the number of applicants was usually not more than three and where the positions were politically valuable to congressmen in disseminating propaganda through rural communities, on their behalf, the result was that these places became political spoils almost as completely as if they had not been classified at all. The merit system made no advance except in numbers during his administration.

In the Republican convention of 1912 Mr. Taft and Mr. Roosevelt (who by this time had thrown "his hat into the ring") were both candidates for the nomination. Mr. Taft was nominated.

Indiana was one of the states which, it was charged, had been carried against the will of the people by political manipulation. Mr. Swift wrote a letter explaining the situation to the *Springfield Republican* which was published on June 19, 1912:

> . . . At the state convention the seats of 106 Taft delegates from Marion county were contested. Roosevelt had seven of the 13 members of the credentials committee and would control the committee. When only six Taft members and four Roosevelt members were present, over the protest of the latter, the committee elected a Taft chairman, John B. Cockrum; then the other three being present and ready to vote the chairman refused to allow them to vote on the ground that their seats were contested. Then the committee unseated two Roosevelt men and gave their places to Taft men; then they admitted the third Roosevelt man, and, having eight to five, they seated the Marion county delegates, having refused to hear evidence.
>
> Then the scene changed. In the convention itself, not counting delegates whose seats were contested, Roosevelt had 667 votes, while Taft had only 648 votes. Applying the rule of the credentials committee, Roosevelt would control the state convention. As Merrill Moores, who presented the Taft case at Chicago, said to the national committee, "the Taft forces were in the minority unless some of their contested delegates were allowed to vote on the contests."
>
> The state chairman, a Taft man, called the convention to order and appointed another Taft man to preside. He allowed the Taft delegates whose seats were contested to vote upon their right to their own seats and thus Taft secured a majority. The committee on credentials obtained a Taft majority by refusing to allow Roosevelt's contested delegates to vote. The convention obtained a Taft majority by allowing Taft's contested delegates to vote. These facts will not be disputed. This is the title by which ex-Vice-President Fairbanks and Watson, Oliver and New hold their places as delegates at large.
>
> Ex-Vice-President Fairbanks has been called upon to put himself in writing in defense of this title, but he remains silent. Everybody knows what the other three would say—that it was "politics" but it would be interesting to know what an ex-vice-president of the United

States would say about it. And he might justly take the opportunity to enlarge upon the ability of his man Kealing as a political manipulator.

These four delegates knew all the facts. If the Roosevelt members of the national committee did not know the facts when they voted to seat these delegates their action can be understood; if they did know the facts, then the people do not agree with them, as will be shown on election day, with Taft as the candidate.

Roosevelt was unwilling to abide by the iniquitous nomination of Taft, the Progressive Republican party was organized and he became its candidate.

In a skeleton biography which Mr. Swift prepared not long before his death is the following brief entry.

Joined the Bull Moose movement in 1912 because Taft had abandoned Roosevelt's policies and had gone completely over to the ways of Aldrich and Cannon. . . . Was chairman of the Indiana Bull Moose delegates at the convention which nominated Roosevelt at Chicago.

The result of this division in the Republican party was the election of the Democratic candidate, Woodrow Wilson, but from the vote it became clear that the Republican convention which nominated Taft had misrepresented the will of their constituents for the votes cast for Mr. Roosevelt greatly exceeded those cast for Taft who, in the electoral college, only received the votes of the two scantily populated states, Utah and Vermont. It turned out to be quite true as stated in Mr. Swift's letter to the *Republican* that the people did not agree with the action of the convention.

A POSTMASTER UNDER WILSON

With the advent of Woodrow Wilson to the presidency the old question of the distribution of sinecures in postmasterships came to the fore. Mr. Swift, in reporting to the National Civil Service Reform League at its annual meeting on December 11, 1913, on behalf of the Indiana Association of which he was president, read a letter of his dated April 5, 1913, calling the attention of Mr. Burleson who was Wilson's Postmaster General to the fact that there were in the post-office men abundantly fit for promotion. It was as follows:

For more than a generation the Postmaster of Indianapolis, so far as being postmaster is concerned, has been a joke. General McGinnis told me that when he was appointed all he was expected to do was the social act, when people came in. A later postmaster on leaving the office told his successor that he could make himself a great deal of trouble by trying to run the office.

President Wilson's administration is the first one that seems to hesitate about going out upon the street and picking up a man to be the head of this very large office and I, therefore feel encouraged to say that there are men already in the office entirely competent for the place, any one of whom would make a real postmaster which will not be true of any man selected from the outside.

Charles W. Byfield has been employed in the office more than fifteen years and is now the head of the money-order department. He would make an admirable postmaster and the fitness of his appointment would powerfully impress the people of this city. He is a Democrat and I name him first because he is, in an all round sense, best fitted.

Arthur M. Potts, Assistant Superintendent of mails, is a very competent man. He is a Republican. He has been in the service a long time.

I particularly mention these two names and an investigation would discover others. I have known Mr. Byfield many years and he is entirely straight. I knew his father also who was a leading lawyer here and a friend of Thomas A. Hendricks.

After reading this letter, Mr. Swift added: "Nevertheless a merchant tailor devoid of any kind of postal experience was appointed. As a protection to him, however, the assistant postmaster, who was a Republican was reduced and thereupon left the service and Mr. Byfield, mentioned in the above letter was put into his place. The office will be conducted efficiently by the assistant postmaster but the position of postmaster continues to be a sinecure."[1]

SWIFT ON THE BOARD OF SANITARY COMMISSIONERS

Up to 1919 Mr. Swift's efforts to keep out politics from the administrative branches of the public service had been from the outside, as a citizen. He was now to show as a public officer how this could be done, even in the absence of any law prescribing competitive tests. The story is derived from one familiar with the facts.

The Sanitary District of Indianapolis was created by the

[1]This was only one of many similar cases throughout the country and here as elsewhere when the real work of the office had been carried on by efficient subordinates its administration turned out to be satisfactory.

Legislature in 1917. The World War delayed the construction of a sewage plant, which was the main object of its establishment, until March, 1919; at that time Mr. Swift, without any solicitation of his own, was made one of the Board of three Sanitary Commissioners. The City Engineer, an appointee of the Mayor, was an *ex-officio* member; the State Board of Health appointed another member and those two chose the third. The term of each of the last two was four years. They could only be removed by the mayor for incompetence or neglect of duty and could require proof of this in court. Mr. Swift, the third member, was chosen president of the board. He says (speaking of himself and Mr. Craven, the appointee of the Board of Health):

> The two of us agreed that we would have no politics. Our work was to operate an existing garbage reduction plant and to build and operate a sewage disposal plant estimated to cost about two and a half million dollars.
>
> We hired Charles H. Hurd as Chief Engineer at $15,000 a year and adopted the rule that we would not receive applications in his department except through him. He was for shutting out politics. The Mayor, Mr. Jewett, let us alone.

The Sewage Disposal Plant was a pioneer construction. Mr. Hurd scoured the country to find the fittest men for different phases of the work. He was more than an engineer, he was an inventor, and his inventions in Mr. Swift's opinion saved the city hundreds of thousands of dollars.

In May, 1921, the collection of ashes and garbage was added to the duties of the sanitary commissioners; and Mr. Swift says later in an address at Madison, Indiana:[1]

> We got with the equipment from the Board of Public Works, 90 men, nearly all colored, and to a man active politicians, each with his "pull." Their two foremen, one a white man, carrying a city ward in his hand, the other colored, whose real source of power I never learned. Both seemed steeped in the notion that public service was only politics. Here was the first test of our board. We put over them a superintendent, Truly Nolen, who had our ideas about politics in city work and was a

[1] The principal facts in regard to the sanitation plant and the administration of Mayor Shank appear in a manuscript address of Mr. Swift to the State Historical Association at Madison, July 11, 1924. See also *Good Government*, August, 1924.

man not to be trifled with. The story how politics was frozen out; how at least half of the force, including the two foremen, became separated from our service in the operation; how we got eight hours of actual work instead of six; how, acting under Nolen's advice, we completely revolutionized the collection service, is most interesting but cannot be given in detail. All the work in our department thus became a purely business transaction.

LEW SHANK

In November, 1921, a new mayor was elected, "Lew Shank" a highly successful auctioneer, who could keep his crowd amused by quips and jokes; indeed he went on the vaudeville stage for a while. He was a chronic office-seeker. In 1917, failing to get the Republican nomination for mayor, he ran on a home rule ticket and was defeated. In 1918, he failed to get the Republican nomination for Congress and then declared himself a Democrat, made speeches for that party and voted that ticket. But in all his transactions he had a reliable and compact body of supporters of whom Mr. Swift says:

> That piebald following felt that this joking auctioneer possessed some magic by which in some way, if he had an official chance he could better their condition or could carry out their visionary notions of government or would make punishment for lawbreaking light and so on according to the trend of the particular group.

Between his election and his installation in January, 1922, Shank loudly announced his plans for cleaning out various boards and declared that his cardinal principle was to give places in payment for service to himself.

The terms of the members of the Board of Health and of the Park Board expired at different times, the law having been so made to avoid a political "clean sweep." That did not please Shank and before he was inaugurated he set up a hue and cry that all members of those boards must get out and they got out, thus aiding him to defeat the object of the law. That put him in control of the City Hospital and the Park Department.

Shank was not stable enough to be of himself a really dangerous man, but he chose a singular and able figure, an old friend, Bill Armitage, a former bar-keeper and a man re-

peatedly charged with gambling,[1] as his chief adviser. Shank appointed an "advisory committee" with Armitage as chairman to assist him in running the city. The committee soon disappeared, but Armitage remained and, without holding any position, sat in the mayor's private office, constantly consulted and considered to be the arbiter and director of affairs of the city government.

After taking his office, January 2, 1922, Shank tried hard to keep his pre-election promises to appoint his friends. The axe fell everywhere except in the fire department and "that was spared only because the insurance companies had an unpleasant way of raising rates at any falling off in efficiency." The first question he asked applicants was: "Were you for me in the primary and the election and did you work for me?" Reminded that this Park Board had been out of politics, he answered, "I have got it into politics now; I am putting Shank workers in there. I have put my wife on the Park Board because I know she is for Lew Shank." He technically complied with the law requiring a bi-partisan board, saying, "I am a Republican and a Methodist but Sarah [his wife] is a Democrat and a hard-shell Baptist."[2] At a public meeting introducing his new street commissioner he said, "I gave him this place because he delivered the fifth ward, or at least he said he did."

The control of the Republican organization in Indianapolis depended upon the precinct committeemen who had been elected at the primary and who were to meet and choose their chairman and other officers. Shank lacked thirty votes of a majority and he obtained them as follows:

Two days before the meeting, his Board of Public Works were called together in a special session. Precinct committeemen who were openly in opposition or were thought to be doubtful were present by invitation. One by one these men were interviewed by Shank or his lieutenant and to the number of

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1*Indianapolis Star*, May 28, 1922.

2Later, when on market days spaces on the curb were to be granted to peddlers, his order to the market master was, "Put Shank men on first." And in 1924, when, after years of competent service, a police-woman, Rachel Bray, was promoted by the Police Board, Shank heard of it and said, "She wasn't for me in the primary and the election," so she had to give up the promotion.

thirty each agreed, for a place on the city pay-roll, to cast his vote for Shank's candidates. The Board of Public Works at once made the appointments and each appointee was notified by letter signed by the mayor directing him to report next day for duty. That put him on the pay-roll the day before the convention.

At the convention the defeat of those opposed to Shank was so plainly in sight that no opposition candidate was proposed. After the victory, speeches followed and Shank said: "In this fight it was a question of winning or being dead in politics and we won. Of course we had to give jobs to about thirty of you precinct committeemen to put it over but we got over."

The following June, speaking at the national meeting of the Junior Chamber of Commerce, Shank again brazenly explained his methods: "When I was running for office I didn't buy votes, I just promised jobs, and when I got started I found I had to make good and so I gave everybody jobs I could. . . . Say, if you fellows would run your own businesses like I run the city the darn things would go bankrupt!"[1]

On November 12, 1921, the *Indianapolis News* reported:

> The mayor-elect is determined on one thing, he said, and that is finding some plan to oust Lucius B. Swift as president of the board of sanitary commissioners. Under the law it appears that a mayor can not change the personnel of this board without court action, based on some alleged inefficiency . . .
>
> "There surely is some way I can get rid of that bird," Shank said. "If there is a way we will find it. Why, they tell me he cut a big marble slab in two up there in his office so that it would be easier for him to get in and out without walking a few extra steps."

In the *News* two days later Swift made the following reply:

> I have read with interest the declaration of war upon me by the mayor-elect. His state of mind is caused by a survey of the department of public sanitation. He sees there in the course of construction a great sewage disposal plant costing over $2,000,000. He also sees in full operation the garbage reduction plant, the gravel plant, the incinerator, the engineer's office and, above all, the ash and garbage collection of the entire city. He sees a large aggregate of places which in his opinion may properly be given to those who have done political work for him;

[1] *Indianapolis News*, June 15, 1922.

yet in not one of those places can he as mayor create a vacancy. And when a vacancy occurs, if, as mayor, he should send a man to fill it the man would be put with all other applicants and each would be investigated as to whether he was a good citizen, whether he was sober, honest and industrious, whether he supported his family, as to his physical condition, and as to other matters tending to show fitness for the position.

Then the one who seemed best fitted would be chosen without taking any account whatever of his politics or for whom he worked in the recent campaign. The law creating this department was expressly framed to keep it out of politics and by unanimous determination of the board it is out of politics; there is not a vestige of politics in its operation.

The Mayor-elect sees all this and it makes him mad; he swallows marble slab myths and calls names. He seems to think that the problem will be solved if he can get rid of me. I have other work now suspended which I would rather do and I could resign and have peace; but the law does not intend that a commissioner shall resign in the middle of his term because a Mayor comes demanding opportunity to turn the department into a political nest and I won't do it. Besides, for more than thirty years I have fought the using of the civil service to pay political or personal debts, and I will not now turn my back upon my professions and by resigning aid the mayor-elect to beat the law and complete his "Tammanyization" of the entire civil service of the city.

He has a little band assisting him in his wholesale seizure of the civil service of the city, including the health and park departments, which the legislature intended should never be in politics. In addition, men in my own department, among those taken over from the board of public works, are giving him aid and comfort, part of them from expectation of promotion and the rest because of a final realization that a full day's pay means a full day's work, that careless driving has its penalties, that public corn can not safely be taken home, that the ancient craps game at the loading station will not be reinstated and because of other wholesome but unpleasant facts.

The above aggregation will not finally decide whether I stay or go; that will be decided by the orderly process of a court of justice.

I will be glad to have my record in this office examined. During the many years since I joined the Union army in 1861 in the course of duty I have been in fights, many in number and of great variety. I have at times been beaten, but I have never run away. I shall not run away now. In this struggle for good city government I hope for the support of the public.

In the *News* of November sixteenth Shank is reported as saying of Swift, "I am going to set my legal dogs on him. I am going to direct Taylor Groninger to fight to the last ditch to get rid of him."

This threat, however, proved quite ineffective. Swift served during his full term, but his final displacement by the seekers of spoils in the failure to re-elect him came about in the following manner.

In January, 1922, Shank appointed a new engineer, John L. Elliott, as a member of the Sanitary Board. His spirit and his language suited a Shank appointment. In a board meeting in August, 1922, he made attacks on the Chief Engineer appointed by the commissioners. "This man has been at the public funds long enough, and here we are wasting large sums of money on a man like Hurd."

For two years, Mr. Craven, Swift's colleague on the board had acted with him in "keeping politics out" but he too was an engineer and seemed at times moved by professional feelings to join hands with Elliott in attempts to thwart and harry the Chief Engineer.[1] Swift was afterward told that Armitage and his group reported that they "had him."

In January, 1923, as a final effort to eject "that bird" a bill was introduced into the legislature to abolish the Sanitary Board and confer its powers on the Board of Public Works controlled by Shank but the measure was smothered in the House of Representatives.

Mr. Swift's term of office on the board expired December 31, 1923. The construction of the sewage plant was not yet complete. It would be a mistake to assume that Mr. Swift would not have desired to see the finish. He knew that the public had appreciated what he had accomplished; all the newspapers urged his retention and many clubs and citizens of all degrees of influence. But Elliott's answer always was, "Mr.

1An examination of the garbage plant (constructed before the Sanitary Commission was organized) brought the unanimous opinion that it was unfit and unsafe and that a new one must be constructed. Mr. Swift accepted the opinion of the Commission in this respect but urged that the Chief Engineer, Mr. Hurd, with his organization and laboratory, should undertake the new construction. Mr. Hurd was willing to do this without additional personal compensation. But the two engineers on the Sanitary Board joined hands at once with great vigor against this plan. They hired E. W. McCullough as consulting engineer to supervise the design and construction of a new garbage reduction plant at a salary of $6,000 a year, the plant to be completed in one year. Among Mr. Swift's papers is this summary:

"I could not agree to the employment of a separate engineer for this work instead of our present engineering force. Nor could I agree to the selection of one chemist from our laboratory for this work instead of using the whole research force of the laboratory, nor do I think that the board is willing to give sufficient study and consideration to garbage reduction before entering upon new construction."

The contract made in August, 1922, called for one year to complete the new plant; it was not ready until June, 1927, and meanwhile Mr. McCullough drew his $6,000 salary for five years. While the cost of the garbage plant was by the contract estimated at $375,000 it actually cost $550,000 and with its share of the power plant, administration building, roads and railroads its cost was nearly $725,000.

Swift has as much chance of getting my vote for his reappointment as a snowball would have in the lower regions," and Craven said, "John Elliott will not stand for the reappointment of Mr. Swift and I am not going to try to force his appointment on John."

After a service of four years and nine months Mr. Swift went out saying: "My greatest satisfaction is in the demonstrated fact that a city department can be operated free from personal or party politics and free from attachment to a personal or party machine. Indeed under no other conditions could this great construction have been carried on to the success which is now in sight."

LAST WORDS ON CIVIL SERVICE REFORM

In 1919 a few of the members of the National Civil Service Reform League, seeing the halting progress made in the competitive system, after the confusion of the World War, insisted that the trouble was with the law itself, and that it needed a complete revision. One or more drafts were made of a proposed system of public employment to supersede it. To an individual who wrote to him asking for his opinion on the subject, Swift's answer was characteristic. It was as follows:

November 22, 1919

. . . You know that for many years I have looked upon the present law drawn by Dorman B. Eaton as a model of statesmanship and I never have had the least sympathy with the general departure by state legislatures from the outlines of this noble model. Under it, an honest President can do wonders in executive efficiency as Roosevelt did. On the other hand, under any law that can be made, a dishonest President can do wonders in breaking down efficiency; that is true of practically all laws.

Aside from all this, I think that to introduce now into Congress a new civil service bill, backed by the League, to take the place of the present law, would be to put the cause of civil service reform into a furnace of congressional hate so hot that not even any smoke would be left to go up.

Mr. Swift's confidence in the existing law, as well as in the methods of propaganda which the League had employed in bringing more than 400,000 places into the competitive system

remained during his whole life as strong as ever, notwithstanding the temporary halt in its further progress. In the spring of 1929 Mr. Kaplan, the Secretary of the League, had prepared his report to the Council, to be submitted at the annual meeting and had sent a copy to Mr. Swift for his criticism. He answered:

. . . I have nothing but praise to speak. I don't know when I have read a document with more satisfaction. It has the ring of the days of George William Curtis, Carl Schurz, Charles J. Bonaparte, Moorfield Storey, Richard H. Dana, Herbert Welsh and William Dudley Foulke, whose trumpet voice to this day has never lowered its tone, and finally the leader of us all, Theodore Roosevelt, who, as President, made unshakeable the foundations of the merit system in the Federal Service.

The statement in the report that but little progress has been made during the last ten years in transferring to the merit system the remaining places which belong there, estimated at 137,000, is true.

Whose fault was it? At bottom it lay with the Presidents. Once we had the field deputies of the internal revenue services. They were taken away and what happened? In Indianapolis, the collector, when appointing clerks, called them "deputies" and for one period of five years that I know of, not an appointment was made from the eligible list. It is childish to say that a President could not have stopped that.

The report is invaluable in its treatment of the appointment of postmasters. There again the President at the time fell down. What could have been a more effective blow for converting postmasterships into spoils than the change, made by a President [Taft], from the rule requiring the top man to be appointed to a rule allowing a choice to be made from the top three and then allowing local spoilsmen to make the choice? Any President may correct this colossal evil.

Again, the Secretary of the Civil Service Commission and two government inspectors, after careful investigation, reported to President Coolidge that Tolbert was selling offices in South Carolina. He turned the matter over to Harry New, the Postmaster General and nothing came of it. How will those two ex-officers feel when they read this report? How will the public feel? Does any one believe that President Roosevelt would have been fooled like that, or that anything will stop President Hoover from closing the sale of offices in the South?

But after all, why should the party organization have anything to do with filling the places named in the report as belonging to the merit system? It no longer has to do with the choice of clerks and carriers and thousands of other places now under the civil service law and yet the party lives. The delay in ridding the service of this remnant of poison is incomprehensible. Senator Watson of Indiana is a good illustration. He was testifying before Senator Reed in Indianapolis and voluntarily boasted of his personal machine as containing 60,000 members "ready to go" at his call. A great portion are office holders and the machine was organized originally by the then Collector of Internal Revenue. It was this machine that he called out to back him for the Presidential nomination when Hoover men began to seek delegates to the later national convention.

A party organization must be bound together by party principles and supported by contributions from its own members and not by places in the public service maintained by the entire people.

This was enclosed in a personal letter to Mr. Kaplan, from Tryon, North Carolina, on April 24, 1929, containing the following:

It is true that for years we have not made progress. There is no help except to begin war again. Hold up to the public the men who are causing this drag. I am sorry I can take but a small part. Age tells, but what I can do I shall. . . .

These were the last letters that Mr. Swift ever wrote. He died not long after his return to Indianapolis.

The foregoing account is the record of a life devoted with singular consecration largely to this most vital reform.

LUCIUS B. SWIFT

From portrait by Simon Baus, 1928, owned by the Indiana Historical Society

PART III

THE WORLD WAR AND CIVIL LIBERTY

OTHER PUBLIC QUESTIONS

Besides the reform of the civil service there were other public questions in which Mr. Swift was warmly interested. He criticized severely a proposed Porto Rican tariff; he denounced the wasteful concession of the Indianapolis Street Railway franchise to a private corporation; he discussed the military situation shortly after the commencement of the World War in Europe. These matters are treated in Appendix C. At a much later period, in February, 1923, after the war was over, he delivered an address on "The Call of the World to America" to the students of Butler University, and two months afterwards another address to the students of Indiana University on "Economics and World Politics." These are considered in Appendix D.

GERMANS IN AMERICA

There was one great cause into which Swift threw the full force of his energy during some of his later years, and that was the spread of a wider knowledge and better understanding among our own citizens of the history and fundamental principles underlying the liberties of English-speaking peoples in contrast to the autocratic and military régime of the German Empire.

It is hard to realize today the wide-spread and vigorous pro-German propaganda which was undertaken by American citizens of German birth or descent, during the early days of the war. The general drift of opinion in our great metropolitan journals was in favor of the Allies but much public sentiment,

especially in various parts of the Middle West, was strongly tinctured with anti-British prejudice, not greatly different from that which afterward broke out in Chicago under Mayor Thompson. This German propaganda, therefore, seemed at that time to contain grave elements of danger to American ideals and Mr. Swift resolved to resist it.

He embarked upon his crusade for this object not long after the outbreak of the World War. Prior to that time his business relations and his personal friendships had been largely among the German-Americans of Indianapolis. These people had been his most valuable clients; many of them had taken part with him in his previous efforts for better government, but now they were showing their sympathy with the Kaiser and the German military efforts to dominate the world.

Mr. Swift's first important public utterance against their propaganda was contained in a remarkable address entitled "Germans in America" which he delivered before the Indianapolis Literary Club on October 4, 1915, and afterward in other places.[1]

Mr. Swift said in the "foreword" to this speech as published:

> The National German-American Alliance, devoted to Germanizing America, an organization now sixteen years old and claiming two million members, challenges the American people with its slogan "Germanism versus Anglo-Saxonism." In all that makes for liberty Germanism has no background, while the sky of Anglo-Saxonism for fifteen hundred years has lighted the path of the mighty progress embraced in the words of Kipling:
>
> All we have of freedom, all we use or know—
> This our fathers bought for us long and long ago.
>
> Ancient right unnoticed as the breath we draw—
> Right to live by no man's leave, underneath the law;

[1] The Literary Club held weekly meetings at which a paper was read and then discussed by the members. A great many eminent men at one time and another have belonged to this club, among others, President Benjamin Harrison, vice-presidents, Thomas A. Hendricks, Charles W. Fairbanks and Thomas J. Marshall; Secretary of State Walter Q. Gresham, Senator Albert J. Beveridge, Governor Albert G. Porter, Reverend Myron W. Reed, Reverend Oscar McCullough, Addison C. Harris, former minister to Austria, John L. Griffiths, General Lew Wallace, James Whitcomb Riley and others. The papers were for the most part of high quality and the discussions spicy. But the number of members was limited and Mr. Swift's address would have had little influence had it not been widely circulated afterward in pamphlet form. The first edition of this pamphlet soon became exhausted, three others were subsequently issued and some 40,000 copies were distributed throughout the country.

Lance and torch and tumult, steel and gray goose wing
Wrenched it, inch and ell and all, slowly from the king.

It seems that Professor Julius Goebel, of the University of Illinois, who had been a college instructor in America for more than thirty years, in his book *The Battle for German Culture in America* published early in 1914, just before the outbreak of the World War, laid down the doctrine that Germans who emigrate to this country were not to be made over into Americans, that they were such only in the political sense when they took the oath of citizenship. He protested against the incredible presumption of those who would stamp out "our German personality in the mold of a factory-made type of people." It was a question he said, whether Americans could much longer govern themselves. The remedy was for the German to step into the breach with German "kultur" to save America from itself.

A report of the proceedings of the German-American Alliance said: "Our own prestige depends upon the prestige of the Fatherland and for that reason we can not allow any disparagement of Germany to go unpunished."

These were among many provocations which brought out from Mr. Swift the following rejoinder:

Since the beginning of the present war we have had to bear a good deal from Germans in America in their attempt to show us how little we have accomplished in the world compared with Germany. The Kaiser said that the Germans were the salt of the earth and Germans in America have taken him at his word and have not been slow to let us know about it. So far as heard from, there is not in their mind a question but that our system of government and our merits and accomplishments as inhabitants of the earth are far inferior to the same things in Germany. It seems to me that something can be said on the other side and, further, that a little plain speaking would befit the occasion, and, as an old friend of the Germans, I mean to do something in that line. . . .

Judged by those who speak out, these technically American citizens, and among them many graduates of our leading universities, believe in the Kaiser and long for his success; they approve of his rule in Germany; they find no flaw in his treatment of Belgium; they openly justify the drowning of the passengers and crew of the Lusitania; they see in the Kaiser a Moses leading the Germans into the Promised Land; and to crown all, they prefer Prussian efficiency to American liberty. If they had lived among the landed aristocracy of Prussia, they would not have held more extreme notions. This chasm between us, no genuine American will ever cross.

Mr. Swift now traces the history of the Mark of Brandenburg, of the Hohenzollern who purchased and ruled it "by divine right," and of that other Hohenzollern who crushed the Teutonic Knights in Prussia and became its ruler. He thus continues:

. . . In 1912 in a speech at Brandenburg the Kaiser said, "The German Empire and the German crown rest upon a Brandenburg basis and a Prussian foundation." With all that this means, Germans in America accept it and approve it and display the same kind of infatuation for the Kaiser that the French had for Napoleon Bonaparte, and they think that Americans ought to partake of their enthusiasm. Americans are immeasurably disappointed to find that Germans in America have never learned that the line drawn from the America of today back to Hengest and Horsa in 449 never approaches the line drawn from the Germany of today back to the Brandenburg conquered from the Slavs in 928 and to the Prussia given to the Teutonic Knights in 1300. The Anglo-Saxon line is blazed by the marks of an undying struggle for government by the people, culminating in the democratic liberty we enjoy today. From the highest to the lowest our officers are our agents, bound and limited by our laws; we are the masters and we have supreme contempt for any authority which we have had no hand in establishing. Our spirit is free and finds an outlet in free speech and a free press. We started free-necked men and we are free-necked men now. All this apparently has no weight today with Germans in America.

The German line runs for centuries in an unbroken monotony of submission by the people to authority they had no hand in establishing and to laws they had no hand in making. The line ends today in the Kaiser's "Brandenburg basis and Prussian foundation." In conquered Brandenburg and Prussia the Germans started under the yoke, and under the yoke all Germany is today. There is in the German line no Magna Charta, no John Hampden, no Oliver Cromwell, no axe in the hands of the people descending on the neck of a traitor king, no king driven from his throne for betraying his trust, no Bill of Rights, no Declaration of Independence, no Minute Man, no Liberty Bell, no George Washington, no Abraham Lincoln. Of all these marks blazed during the centuries Germans in America today are apparently oblivious.

Yet, we started even. If we go back to the Germans in the German forests, the lines do meet; for German tribes were self-governing. "No man dictates to the assembly," says Tacitus, "he may persuade, but cannot command." The Angles, the Saxons, the Jutes and the Frisians, uncontaminated by Rome, carried into England the ancient German freedom, the town moot, the hundred moot, the folk moot. . . . Out of this pagan German nation has come the English-speaking race of today. Although a multitude of times crushed to earth, they never forgot their republican institutions, their mass township-meetings, and never lost their capacity to transact public business. War brought the king, but the king could not shake off the Witenagemote, the predecessor of Parliament. In their meetings the kicker kicked out his kick; there the officers, even the king, were called to account; there for centuries was carried on that stubborn fight of the people against oppression. These facts today, apparently make no impression upon Germans in America.

It is not necessary to trace how or when the Germans in Germany

lost their liberties; they lost them. We find them in the eighteenth century under all manner of potentates, and in every case the will of the potentate is the law of his territory. This had been so, century after century, with no voice raised on behalf of the people; while during all those centuries the Anglo-Saxons were carrying on their mighty struggle to maintain and extend civil rights.

The sending of German troops to fight against American independence is a sufficient illustration of the ownership of the lives and bodies of their subjects by the German rulers of that time. Twenty-nine thousand one hundred sixty-six Germans came. Six rulers sold their men. . . . Catherine of Russia refused and Holland refused. Bavaria wanted a contract but her men were such a worthless lot that her application was rejected. The transaction was like a sale of cattle by a ranchman. Each ruler got the best contract he could and then filled it with men exactly as he would go into a field and separate cattle sold. . . . The ruler of Hanau wrote, "My regiment is ready at the first twinkle that shall be given me," and hurried off to England to push the matter. The Prince of Waldeck collected eighty-nine men and locked them up in the fortress of Hameln ready for delivery. . . . The Duke of Brunswick sold 5,723 men, more than one-sixth of his able-bodied inhabitants. He got for his own pocket $34.50 for each man, as a starter, and for each man killed and each three wounded he got the same sum. Finally he got an annual lump sum of 64,500 German crowns and twice that sum for two years after the return of the troops.

The landgrave of Hesse fairly skinned England and got a contract whereby he sent 16,992 men and made millions of dollars; and the other rulers sold their men with great profit to themselves. For this service men were impressed from the plow, the workshop and the highway; no man was safe from the agents of the prince who kidnapped without scruple. Men were kept under guard and were marched to the ships under guard to keep them from deserting. . . . Against these mercenaries the American farmer took down his rifle and brought their activities to an end at Trenton, at Bennington, at Saratoga and finally, with the help of the French, at Yorktown. . . .

The principles of the American Revolution and of the patriots of the French Revolution at last began to be known in Germany. Most of the people were not interested, but here and there professors and student bodies talked of freedom; although no one was ready to give his life for it. In 1817 the students at Wartburg burned some conservative books and the code Napoleon. Autocracy was nervous and made severer laws against such demonstrations for liberty. In 1832, at a great student festival, toasts were drunk to the sovereignty of the people, to the United States of Germany, and to Europe Republican. Autocracy was furious and Prussia condemned thirty-nine students to death. The penalty was not inflicted but the students were confined in a fortress.

Carl Schurz was in the gymnasium in Cologne in the forties. His class was to write on the battle of Leipsic. Schurz emphasized the ill-treatment of the people by the rulers in refusing to keep the promise of a share in the government made to the people for their heroic efforts on that battle field. He says, "I wrote that memorial oration, so to speak, with my heart's blood." His professor called him up and said, "What you wrote has a fine sound, but how can such things be allowed at a royal Prussian gymnasium? Take care that it does not happen again."

Schurz was nineteen when the movement of 1848 came to a head—

the only uprising of the people where they took chances and risked lives for free government in German history. . . .

Until within recent years Germans in America universally spoke with reverence of the forty-eighters. It was in the spirit of '48 that they joined in the war for the Union; they were genuine in that war and did the best they could. And they lived in the same spirit afterward, proud to be called Americans and looking upon America as veritably the home of the free; and then they fell. They fell before the glamour of Bismarck's government by blood and iron, before the spectacle of great material prosperity, before the hypnotism of the doctrines Will to Power, Will to Conquer, Might is Right, The Strong may take from the Weak, German Arms and the German Language can be made to dominate the world. Today the moderate ideals of the Germans of 1848 are lost in the blaze of the glory of the Kaiser. No one hates the ideals of 1848 more than he does. In 1901, referring to the revolt in Berlin in 1848 when speaking to the Alexander regiment which had helped to crush it, he said, " . . . if ever again a time like this should reappear in this city, a time of uprising against the King, then I am convinced the Alexander Regiment will be able energetically to force back into bounds any impertinence and rebellion against its royal master." This is the Kaiser's inscription upon the tombstone of the liberal movement of 1848. . . .

The German Empire today consists of states bound together by an agreement called a constitution made, not by the people, but by the rulers of the states, in 1871 at the end of the Franco-Prussian war. The states also have constitutions granted by the various rulers beginning in 1830; the present Prussian constitution was granted by William IV in 1850. Under that constitution William, the Kaiser's grandfather, in 1861 went into church in Koenigsberg, picked up the crown from the altar, placed it upon his own head and declared in a loud voice: "I receive this crown from God's hand and from none other."

Bismarck says that the Prussian constitution was drawn with such veto provisions as to protect the *status quo*. In the Imperial constitution of 1871, the veto has the same effect. The *status quo* was autocratic and there has been no change. The character of the imperial constitution is defined by German statesmen. The Crown Prince Frederick expecting the death of his father, asked Bismarck if he would remain in office in case of a change on the throne. Bismarck says he answered that he would on two conditions, the first of which was "no parliamentary government."

Ex-Chancellor von Buelow, in his Imperial Germany, written in 1913, says:

". . . What we Germans need can not be attained by alterations in the sphere of constitutional law. The parties which would acquire greater rights, to a large extent still lack political judgment, political training, and consciousness of the aims of the State."

This is a roundabout way of saying that autocracy still has its way, and that the German people would not know enough to rule if they had the power. Price Collier, who, though not a German, knew the working of the German government as well as anyone, said in 1913, "there is no such thing in Germany as democratic or representative government. . . . Germany today is no more democratic than Turkey was twenty years ago." The German historian Gneist says it is "absolutism under constitutional forms."

. . . In 1861, Bismarck and the King wanted to enlarge the army but the legislature refused the money. They spent the money just the same, saying, that the legislature by refusing to vote necessary supplies had laid down its functions and the King must take over the responsibilities that they declined to exercise. Having defied the constitution four years and spent the money, in 1866, after the seizure of Schleswig-Holstein and the victory over Austria, the speech from the throne announced, says Bismarck, "that the representatives of the country were to proceed to an *ex post facto* approval of the administration carried on without any appropriation act." The legislature obeyed the order almost with gratitude for the opportunity. An Anglo-Saxon legislature would have shaken the King over hell-fire, would have brought him to his knees in repentance, would have made him reaffirm every declaration of Anglo-Saxon freedom from Magna Charta to the Bill of Rights before granting forgiveness. . . .

Mr. Swift here quotes from many speeches of the Kaiser to his troops, among them the following:

"It is in these serious days of mourning that God's will places me at the head of the army and it is from a heart stirred deeply, indeed, that I address my first words to my troops."

"The absolutely inviolable dependence upon the war lord is, in the army, the inheritance which descends from father to son, from generation to generation. . . .

To Potsdam Regiments: "Every one lacked confidence in me; everywhere I was falsely judged. One alone believed in me, one alone had faith—that was the army. And leaning upon her, trusting upon our old guard, I took up my heavy charge, knowing well that the army was the main support of my country, the main support of the Prussian throne, to which the decision of God has called me." . . .

In an address at Koenigsberg in August, 1910, the Kaiser said: "Here it was that the Great Elector, by his own right, created himself the sovereign Duke in Prussia; here his son set the King's crown upon his head; and the sovereign house of Brandenburg thus became one of the European powers." . . .

"And here my grandfather, again, by his own right, set the Prussian crown upon his head, once more distinctly emphasizing the fact that it was accorded him by the will of God alone and not by parliament or by any assemblage of the people or by popular vote, and that he thus looked upon himself as the chosen instrument of Heaven and as such performed his duties as regent and sovereign."

Again, he said: "Only one is master in the country. That am I. Who opposes me I shall crush to pieces."

Mr. Swift now describes the brutalites and cruelties of German officers to their troops, the case of Rosa Luxemberg and others including the Zabern case supported by the Crown Prince and the Government, and he asks:

How long would such things be in an Anglo-Saxon community? It will be answered that all Germany protested against these acts, and so it did; but what good did it do? The struggle was recognized as one between the people and the military caste and the caste won. The Reichstag censured the outrage by a vote of 293 to 54; the colonel received a decoration, a reactionary Prussian bureaucrat was made governor of Alsace-Lorraine; and the people submitted and are now fighting as one man with the approval of Germans in America to spread German *kultur* over the world. . . .

In November, 1891, in addressing recruits, the Kaiser said: "You have sworn loyalty to me; that means, children of my guard, that you are now my soldiers, you have given yourself up to me, body and soul, there is for you but one enemy, and that is my enemy. In view of the present Socialistic agitation it may come to pass that I shall command you to shoot your own relatives, brothers, yes, parents—which God forbid—but even then you must follow my command without a murmur."

Mr. Swift contrasts this with the voluntary resignation by Washington of his military command and adds:

If Germans in America will examine this question with German thoroughness and get a correct answer, then they will understand why Americans will never, never wish success to German *kultur* with its divine right of kings and military autocracy; and no efficiency, inseparable from such company, will ever appeal to Americans. . . .

That Germans in America, legally American citizens, bound, as most of them are, by the closest ties of relationship with Germans in Germany, should love the people of Germany is entirely commendable and to be respected. That they should feel the deepest anguish on account of differences between this country and Germany can be understood. But when they go farther, as the majority of them do, and desire the success of the military autocracy which brought on the war, they are joining in a movement to block the progress of civil liberty in the world. And Germans who are furious and insolent and insulting toward Americans who do not agree with them, expect Americans to bear in silence such copperhead utterances as the following which was received with loud acclaim by the National German-American Alliance:

"We have no right to sit in judgment upon other nations until our own actions are above reproach. Germany has been instrumental in sinking the Lusitania, she was provoked to do so by England. But by far the greatest blame for this horrible catastrophe attaches to the United States. The underlying cause was our greed for gold." . . .

How little Germans understand Americans! When they ask us to believe that the present day Germany ought to succeed in this war they are asking us to pray for a country which may be used by the Kaiser whenever he wills for just such purposes as Frederick the Great used Prussia when he seized Silesia; and they as little understand Americans as the Kaiser did when he thought we would appreciate a statue of Frederick the Great set up in Washington. Nor did they understand Americans when they thought that their excuses for their treatment of Belgium would be acceptable. Belgium had wronged no one. There liberty was preserved; Belgium was living her life of happiness and

prosperity in a high degree. Her country was her own. When her people saw their country invaded, their soldiers killed, their cities seized, their homes occupied, the least the Germans could do was to treat with gentleness the crazed few who exercised the right of self-defense. Instead, they did things which made it seem that Attila was back in Gaul.

Mr. Swift next discusses the recent utterances of Professor Muensterberg and among other things says:

. . . He falls back upon philosophy and in describing the difference between Anglo-Saxon and German beliefs says, "The Anglo-Saxon system is controlled by the belief in the individual as such and the Teutonic ideals are bound by the belief in the over-individual soul." He further explains that, under the Anglo-Saxon system the state serves the individuals and their happiness, while under the German system the individuals serve the state as the bearer of national culture. This is another way of stating the well known doctrine of the German professors that the State has a life of its own separate from and above that of the people.

A ruler's hand is upon every teacher in Germany. Every teacher who talks of politics or history must shape his words to make for the comfort and stability of Kaiser, King, military caste and official class. Who fails in this will find the wolf at his door. We have now the key to this doctrine of the separate life of the state. It was invented by German philosophers to give a respectable appearance to the autocrat for the time being, instead of requiring him to base his right to govern upon brute strength. This separate life is Muensterberg's over-individual soul. The Kaiser for the time being is that over-individual soul; he is that life separate from the German people and is responsible to God alone. In various forms this philosophical toadyism to autocracy has been pursued by German professors until they have lost the respect of the world. The circular of the ninety-three professors will forever remain an example humiliating to the profession of letters. . . .

When an American looks upon his political history extending from the German tribes in England, in whose assembly no man dictated, to Abraham Lincoln standing upon the field of Gettysburg pledging the nation to the defense of government by the people, that American is looking upon a mighty heritage. This heritage is not for the Anglo-Saxon alone; it is for all who come and accept it. It is for the Catholic, the Protestant, and the Jew, the Russian, the Pole and the Hungarian, as well as the German. But there must be no divided allegiance; no attempt to blend American political ideals with old-world political ideals which have been the mortal enemies of civil liberty since the world was. Americans will make it their work to preserve their heritage. The struggle which shakes the world today is the old struggle of democracy against autocracy. That is how England is fighting our battle. Americans can sympathize with only one side in that struggle and that is the side which is in unison with their whole history. If that side wins, the German people will come out of the darkness in which they now live and with all their virtues, abilities and means of happiness, success and prosperity, will stand side by side with us in the broad sunlight of liberty. If that side loses, Americans must brace themselves to meet an antagonist such as the world never saw before. But we have

this—the American is unterrified and not afraid and he is a long-winded fighter.

The reception of this address was of the most variegated character. Naturally the friends of the Allies were delighted with it. "That was a capital address on the Germans in America" wrote Theodore Roosevelt on November 12, 1915. A few of the Germans in America, for example Professor Frank W. Taussig, head of the Department of Economics in Harvard University, wrote on November 19: "I agree with you as regards your main position; my sympathies are on the same side as yours." But he asked for the sources of the quotations from the Kaiser's speeches. Swift in a letter of November twenty-third referred him to *The German Emperor as shown in his Public Utterances* by Christian Gauss, Professor of Modern Languages, Princeton University (Scribners, 1915) and to other authorities adding, "Every act of his and every word or utterance now is in line with the utterances which I quote. The Kaiser and his system of Government are the offense. The German people ruling their own country would not be an offense to the world." Professor Taussig replied November twenty-ninth: "Your statements seem to be fully authenticated."

Naturally the Kaiser's supporters were filled with bitter resentment and the immediate result of the wide-spread publication of this address was highly injurious to Mr. Swift's law practice. His German-American clients left him and most of them did not return. He had indeed been warned of this, but his personal interests never stood in the way of what he believed was his duty to his country, so he went right on and continued to circulate the pamphlets containing this speech by tens of thousands regardless of their effect upon himself.

HUGHES CANDIDACY

In the presidential campaign of 1916 between Wilson and Hughes, Mr. Swift became uneasy at the attitude of the Republican candidate in respect to Germany. Hughes had not been explicit enough. It was said he had been talking with one

J. S. O'Leary, the head of a pro-German "American Truth Association" which insisted that the truth about the war would never become known till London ceased to edit the New York newspapers. This was the man to whom President Wilson telegraphed, "I would feel deeply mortified to have you or anybody like you vote for me." So on October twenty-third, Swift wrote to Roosevelt:

> There has been a growing impression with me that Hughes is not frank on the German question—that he is trimming for the German vote. I felt safe because I knew that you had a long interview with him before declaring for him; but in view of this O'Leary business I am uneasy.
>
> I am not neutral. I think this war is a struggle between democracy and the most dangerous kind of autocracy and that autocracy must not win. If Hughes is elected, I should be sorry to see him do anything to make it harder for the Allies. Can you say anything, in confidence, to ease my mind? . . .

Roosevelt answered on October 31, enclosing a previous correspondence in August with Mr. Hughes and the latter's most explicit assurances upon the subject. Roosevelt's letter concludes:

> I wish I could see you and tell you more than I care to put on paper. We have the choice of electing Mr. Hughes or Mr. Wilson. I believe with all my soul Mr. Hughes will do very much better than Mr. Wilson. To elect Mr. Wilson would be to put a premium upon the worst traits of American character.

So Swift supported Hughes at the election.

GERMAN-AMERICANS BECOME LOYAL

At a later period what Mr. Swift sought was accomplished. As the war went on, the rights of Americans were violated by the German Government to such an extent that even President Wilson was at last compelled to abandon the neutrality he so greatly desired. The United States became an associate of the Allies in the struggle and the great majority of German-Americans, however reluctantly, joined with other citizens of their adopted country and co-operated in the prosecution of the

war against their Teutonic Fatherland. Indeed long before the actual declaration of hostilities our strained relations with Germany were gradually bringing about this result.

THE SWIFT DINNER—ROOSEVELT'S LETTER

On May 2, 1916, a dinner of appreciation, honoring in his life-time Mr. Swift's career past and present, was given at the Claypool Hotel, Indianapolis, by a hundred of his fellow citizens. Booth Tarkington, presiding, spoke of Mr. Swift as "the star that guides us," and introduced Meredith Nicholson as chief speaker of the evening. Among other tributes was the following letter from Theodore Roosevelt:

> I very sincerely wish that I could be present at the dinner in honor of Lucius B. Swift on May 2nd. Mr. Swift has combined to a very peculiar degree the qualities we like to think of as typical of American citizenship at its best. I have never met in public or private life a more entirely fearless and disinterested foe of every form of political corruption. Moreover, unlike many reformers of fearlessness and zeal, he has always kept a sane and well-balanced judgment. Recently he has been fighting against what is even a more deadly foe to this country than political corruption, for he has been fighting against the peculiar baseness of moral treason which, under the guise of hyphenated Americanism, has been attacking what is best and most necessary in our national heritage. There has been an organized anti-American propaganda, very powerful politically and even financially; and against this Mr. Swift has warred fearlessly, at a time when most men held their peace. I wish I could be present at the dinner in his honor.

ON THE CONSCRIPTION BOARD

Following the entrance of America into the World War, after Congress had provided for a general conscription, and while the organization was being created which so admirably accomplished that purpose, Mr. Swift was appointed by Governor Goodrich to be chairman of the District Conscription Board at Indianapolis. Giving up his professional life for this greater service, he worked early and late at questionnaires and schedules, interrogated the witnesses, rounded up the "slackers," shaming the reluctant, cheering their wives and mothers, now persuading, now compelling the men to do their duty. His

work and his enthusiasm in it is best characterized by his own words to an intimate friend:

> I never would have dreamed that at the age of seventy-four, I could have found an occupation where I could be so useful. I hope when I pass away, it will be suddenly, in the twinkling of an eye. I have but one desire. If I could only be at the front, go over the top, and die right then and there!

It is good to have had such a man for a friend and the memory of it is a priceless possession.

Mr. Edward Lewis, who was Swift's intimate associate and friend during the dark days of the war, gives the following graphic account of his chairmanship of the Conscription Board:

> It was like a chair of civic duty and patriotism. He talked to the young men who came to the Draft Board like a kindly uncle. He did not scold them and he did not even criticize them unless he thought a dishonest or selfish exemption was being claimed and then he was stern and fought determinedly to prevent the injustice. But where, as usually was the case, he thought that they were misguided or were attempting to obtain an exemption which later they would regret, he held up service in the army as a great privilege as well as a duty. One man who had married a girl whose family had considerable means claimed exemption. Mr. Swift told him that he had been blessed with great advantages. He had had a college education, he had a good position, his wife's family had means, and Mr. Swift asked him if he did not think that that family ought to be represented in the service of the country. The young man received an adverse decision with tears in his eyes. When he returned from France with an honorable record he went to Mr. Swift and thanked him for the decision which denied his claim.

AMERICA'S DEBT TO ENGLAND

Mr. Swift came to the conclusion that the cause of the dangerous support of German autocracy during the early days of the war, was our failure to teach the pupils in our common schools the history of the English sources of our liberties and of our representative government. True, an American might

learn of these sources by a careful study of English history; moreover our law schools and some of our universities gave to a limited number of our youth some information on the subject, but it never reached the great bulk of our people. He therefore resolved to disseminate as widely as he could the knowledge he had himself acquired upon this theme and with which he believed that all Americans as well as immigrants ought to be familiar.

He had indeed already referred to the long struggles for liberty in England, as early as May, 1915, in his speech on the military situation and again in his address on Germans in America, but now he took up this special subject in greater detail, first in an address before the American Historical Association at Cincinnati, on December 28, 1916, entitled "Failure to Teach the Foundations of Liberty," an address which subsequently appeared in April, 1917, in the *Educational Review* at Columbia University. It was delivered before the Indianapolis Bar Association, Literary Club and Law School, the Indiana University School of Law, the St. Clair Chapter of the D. A. R. and elsewhere, and after being extended and revised it was published in pamphlet form in May, 1917, under the title, *America's Debt to England.* The following extracts show the general tenor of this address:

> The human aspect of this country has changed from what it was in August, 1914, and for many months following the outbreak of the war. The voice of the peace-at-any-price advocates headed by Mr. Bryan is silent, and Mr. Bryan offers himself for enlistment as a private. Yet up to a very recent date he had a following made up of men and women who sang, "I didn't raise my boy to be a soldier," and who fought hard to make us, by staying at home ourselves and by keeping our ships at home, submit to the domination of the Kaiser now, instead of waiting for his final victory. . . . Nothing but a course, under a conqueror, of slow devilish torture, such as triumphant German efficiency has inflicted upon the people of Belgium for nearly three years, will make them believe that liberty is worth fighting for. I am thankful that I was born under different stars and have the hallowed recollection of a different mother. . . .
>
> Then we had various groups of socialists who apparently had never heard of Anglo-Saxon principles and who thought that the only need of the world was what they called economic liberty. . . .
>
> We had also a multitude of men busy with money-making who wanted to squeeze through and preserve their gains and they ignored the war and passed by on the other side, not heeding the call of liberty. . . .

We had labor bodies that with seemingly unsurpassed selfishness thought that whatever the crisis of civil liberty, the demands and laws of labor came first. . . .

We had a class larger than all of the other classes together made up of those who, moved by a passive dislike of England, looked on with indifference at whatever might happen to her in this war. . . .

Mr. Swift confesses that he had himself once shared this feeling but, as he says:

. . . I came to understand that both in the Civil War and in the Revolution the English government for the moment was not the English people. I came to learn of the battles which the English people had fought for the development and establishment of Anglo-Saxon rights and of the great reward of their victories that we had reaped, which I had not before learned from lack of proper teaching in the schools. . . .

The greatest apparent change of all has taken place among Americans of German birth or descent. Taking them the country over, when the Kaiser drew the sword they seemed to rise as one man to back him up. . . . Today Americans generally of German birth or descent declare themselves united behind the Stars and Stripes against the Kaiser.

Mr. Swift, without discussing what had produced the change, thus proceeds with his account of America's debt to England:

. . . Although we took little notice of them, we had in America at the beginning of the war a body of Anglo-Saxon rights such as representative government, trial by jury, no taxation without representation, free speech, a free press, habeas corpus, the right of petition, the right of protest, the right of public assembly and many other rights which make a people free. The beginning of the growth of this body of rights was 1,500 years ago at the beginning of the Dark Ages and all through the Dark Ages and the Middle Ages and in modern times down to the Abolition of Slavery in our own times those rights have been held and created and added to by the English-speaking race. They did not come like summer breezes. Most of them came in storm and stress. The autocrat is always and everywhere. He did his best to master the English-speaking race and he failed. For many centuries Anglo-Saxon skies resounded with the combat for liberty. . . . No other race has such a record. Other races have their own reasons for pride but this record is the peculiar and the crowning glory of the English-speaking race. . . .

[Why was] our country so slow in comprehending the danger to its institutions? There is only one answer. We have never even named the foundations of their liberty to American youth. Much less have we told them the story of the storms which for centuries raged around the building of those foundations, nor of the blood and sacrifice and suffering which went into the construction; and we have never mentioned the subject to immigrant citizens. Autocratic governments impress upon their subjects the virtues of emperors and kings and

princes to cement allegiance. We do not even take the trouble to bring to American citizens the knowledge of the history of the rights which make them free. If we did it would become a religion arousing all Americans at any sign of danger.

If you ask the inhabitants of America what are the foundations of the liberty they enjoy, a great majority will name the American Revolution only. For this situation I blame the schools and particularly the grades below the high school because more than three-fourths of American youth never reach the high school. For more than a century we have brought up American children to hate England and this has led us to slur over the history of those foundations of our liberty which rest upon English soil.

We send the children out to form public opinions founded upon ignorance and prejudice, and this in a crisis is an opinion dangerous to the welfare of the country. For more than a century we have in effect taught each generation of children that Lexington, Concord and Bunker Hill were the beginnings of all liberty; and after hearing us talk our immigrant citizens have come to the same conclusion. . . .

Our Revolution and our Abolition of Slavery were indeed major foundations of American liberty and they are America's noble contribution to the list. But other battles had been fought and won, in the centuries past, which educated and inspired our fathers and made them master builders to build these two American foundations. The results of those other victories lie in the midst of us and yet unseen; generations come and go in happiness because of

"Ancient right unnoticed as the breath we draw."[1]

. . . No youth should leave school without knowing that our Anglo-Saxon forefathers carried representative government from the forests of Germany into England; how it flourished in the hundred-moot, the shire-moot and the folk-moot; how all government was laid prostrate for the moment by William the Conqueror; how starting again with the Great Council of the Norman Kings, the people of England slowly against their kings built up a more and more representative government, which developed into the English Parliament and the American Congress of today; how the people of England drove to the block and to exile their kings who would rule in defiance of their laws and without the representatives of the people in parliament assembled; and finally how our English fathers came and planted representative government upon the shores of America; how ever since, those who had known only the hand of a ruler have come here and have been permitted to enjoy the ancient Anglo-Saxon right of joining in the choice of representatives of the people and so have become rulers themselves.

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[1] This and the two preceding paragraphs were quoted January 3, 1917, in a leading editorial in the *Toronto Globe*, an important Canadian daily, with the comment:

"Every sentence carries the accent of the exact scholar and preserves the perspective of the historical spirit. . . . The essayist is neither blind nor ignorant. To him as to every true and enlightened American mind the conflict for the right of a free people to govern themselves is one conflict. The Declaration of Independence is in the great series of history, and its essential precursors are the Petition of Right, Habeas Corpus and Magna Charta itself. . . . The ignorance and the prejudice in both the countries of America and in all the democracies of Britain and the Allies will be swallowed up in the clearer knowledge of their common history.

Mr. Swift insisted that Americans had no vivid picture of the mighty drama of Magna Charta and added:

When this picture is unfolded before American youth and when they read the words written seven hundred years ago: "We will not go against any man or send against him save by the legal judgment of his peers or by the law of the land," then they will realize that their right to live in full enjoyment of the liberty guaranteed by those words was established by an immortal struggle; and that when our fathers came to America, no matter from what country, they stepped at once into full enjoyment of that right. We cannot afford not to have that fact and the picture of that struggle indelibly written upon the mind of every boy and girl in America. . . .

Americans do know that we fought the American Revolution with "no taxation without representation" as our leading war-cry; but they never think of the struggle of the English people through many centuries to settle it that they should not be taxed except by law which they had a hand in making. Yet without the example of that fight before them our Revolutionary Fathers would never have thought of raising objection to the Stamp Act and the Tea Tax. . . .

In the New York farm house in which I was born, great beams hewn from forest trees outlined the foundations; these were the sills. Other hewn timbers extended across from side to side, a few inches apart; those were the sleepers. This massive foundation which a hundred years have not shaken, is all unseen, unless you go into the cellar. American children have never been taken into the cellar of their political history where they might see the sills and the sleepers which are the foundations of the marvelous and well-ordered liberty which they enjoy today. . . .

In teaching history it is essential to be truthful for truth's sake; but it is equally essential that all immigrant citizens as well as native born Americans realize the struggle and the sacrifices of the hundreds of years consumed in building up the Anglo-Saxon foundations of liberty upon which the government of civilized democracy rests today. Knowing its history, they will recognize the vast heritage of civil liberty which they here enjoy; and that that heritage was not built up by America alone, but is the common work of the English-speaking race. They will feel in their inmost souls that democratic government is a pearl without price and will view with deepest anxiety and place before everything else the danger of its being shaken or checked in the world and with their backs to the wall will resist every kind of encroachment upon it. And now the call has come. Let no one be persuaded that there will be a greater issue for America in some later war with some other nation. The issue of freedom for the world is here and must be settled on this battlefield.

LL.D. FROM MICHIGAN UNIVERSITY

On June 25, 1919, after the war was over and the veterans had returned, Mr. Swift delivered a public address at Ann Arbor to the students of Michigan University. The University

had offered to confer upon him the degree of Doctor of Laws, which is given not for mere scholarship but for distinguished services. Mr. Swift greatly appreciated this honor, coming as it did, from his own Alma Mater. He was invited to be present and speak when the degree was conferred and he intended to address the students on the subject so dear to him—the sources from which we had derived our liberties. But he did not learn until he arrived at Ann Arbor that the occasion had been planned as a victory mass meeting in memory of the students of Michigan University who had served and of those who had died in the World War, and he felt bound to change at once the character of his address to meet the new situation and to bear a message from the soldiers of '61 to the new veterans. So he began as follows:

> If I had better understood the object of this meeting, I might have come prepared with a more distinctive expression of the boundless praise to which duty performed entitled the 10,000 soldiers of this University now welcomed home. Yet I am not sure that I regret that lack of understanding. I know what it is for the soldier to be welcomed home. Just fifty-four years ago this very month we came back from the South and marched through the village and our mothers and fathers and sisters and the other girls made merry with us and fed us with the good things to be found nowhere else in the world. And I went back to hoeing corn on a New York farm. I like to think of that.
>
> Here is what has come to me. In boyhood I saw the gathering storm of the civil war when Slavery lowered over the land and prepared to strike at the foundations of our government. I saw that storm burst in 1861 and while I was not yet over the threshold of manhood, it came to me to become at once an enlisted man. And so in the morning of life I had a part in that giant tragedy.
>
> And now before the sunset of the long day it has been given to me to see Autocracy leading an onrush of unprovoked war upon a peaceful world; and I have been permitted again to stand with those who stood for liberty, not indeed in the ranks where the heart of every soldier was, but in the honorable duties of chairman of the District Board.

Thus it was, continued Mr. Swift, that he had twice seen his country marshal her armies. The first time, her very existence had been in the wavering scale; she had never faltered, but with all her resources she had gone on, year after year to the end. That was for liberty within her own borders. In this second war she had struck for the liberty of the world, she had put herself for the time under unwelcome autocratic discipline;

she had given body and soul to the struggle; she had rationed her food; the voice of the pacifist and the traitor had been stifled; to the remotest hamlet it was "work and save and give" so as to win the war, and when American soldiers appeared on the battle-line, it was with an efficiency so high and a bravery so exalted that words could not be found to express the nation's thankfulness. So America stood today at the height of her glory, free, prosperous, victorious.

Yet radical propaganda was insisting that we were not free; instructors in our schools were more or less openly teaching some phase of the doctrine of the red flag. When objection was made it was said that we must not interfere with academic liberty. Mr. Swift would leave it to the school authorities to settle the limits of free speech in public education, but he would insist that it was the duty of the opponents of the red flag to meet its propaganda by teaching the history of the noble foundation of American liberty. Here he set forth some of the high points in that history and declared that when we had done this duty our people would know that freedom was not a mushroom growing in a night but that it came out of the struggles of centuries.

It was for the soldiers of the University of Michigan, fresh from the battlefield, with their minds trained and toughened by a mighty experience, to insist that the story of the foundations of our liberty should become household words, and be the pride of every American. It was, further, for the returning soldiers to seize upon the vital fact that only by orderly progress under the law could this Republic continue free and prosperous, and with their whole strength they must see to it that there should be such progress.

In that hope he welcomed them to the brotherhood of the soldiers of the Civil War.

HOW WE GOT OUR LIBERTIES

Mr. Swift's efforts to spread among our own people a fuller knowledge of the development in England of the principles of

civil and religious liberty, which formed the basis of our own representative government, reached their culmination in his book *How We Got Our Liberties,* published by the Bobbs-Merrill Company of Indianapolis in 1928. To the preparation of this important work he devoted most of his efforts during the closing years of his life down to the time of its publication. He examined for this purpose the general field of the history of the English Constitution and, winnowing the grain from the chaff, used such parts of it as affected American institutions. The book includes in detail an account of the long struggle for freedom from the days of the Anglo-Saxons to our own time, and of the transplanting of the results of this struggle to our shores. Every American interested in the welfare of his country should read it. The work was well received by the press, long and appreciative reviews being published in the *New York Times* and many other leading newspapers and periodicals. The lesson taught by its pages is that we should adequately prize and be ready to defend the precious inheritance acquired at so costly a sacrifice.

PART IV

Characteristics

Mr. Swift's personal appearance is graphically described by Meredith Nicholson in his article, "An American Citizen":[1]

> He gives you at once the impression of solidity; a person not to be jostled or pushed. Of good height and substantially built, at eighty-five he still carries himself erectly, walks with the air of a man who knows his destination and will arrive on time. The color of health is in his smooth-shaven cheeks. His smile is worth waiting for, and his laugh has the ring of honest mirth. You feel that here is a man of cheerful yesterdays and confident tomorrows, a prosperous farmer, you might say, in town to sell cattle; or if you met him in a seaport you might think, here is a fine type of mariner, a retired captain perhaps, still capable of going down to the sea in a ship which he will most certainly carry to its destination and bring back to the home port in safety. Such a man is Lucius B. Swift, an American citizen.

His appearance was a true index to his character. His predominant characteristics were his sturdiness, his steadfastness in what he undertook and his superb moral courage. Mr. Lewis, quoting the words of William James, says: "'Of five hundred of us who could storm a battery, side by side with others perhaps not one would be found ready to risk his worldly fortunes all alone in resisting an enthroned abuse' . . . Mr. Swift had both kinds of courage in an eminent degree."

Mr. Lewis also relates the following incident regarding Mr. Swift:

"In 1914 at the age of sixty-eight he spent a whole day as a watcher at the polls in a hotly contested election, and chuckled as he told me that he pleasantly told some rough from a down-town ward, whom the organization had sent to the precinct to see if he would be of some dubious service, that they were all honest folk in that precinct but that they were able to fight if

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1 *Old Familiar Faces*, p. 119.

they had to and that personally he felt quite like having a little fight that day if anyone wanted it."

His aim was first of all to be a faithful and unselfish citizen of the Republic and of the community in which he lived. He had an inbred conviction "that democracy presupposes the sincere interest and devoted service of every individual and that the public business is every one's concern." The compiler of this biography enjoyed his constant friendship for nearly half a century, but it would not have lasted a day had it stood in the way of his higher devotion to the commonwealth. No personal interest or feeling could ever budge him when it came to that. No one can read his "Germans in America" and fail to see this trait. And yet his nature bubbled over with the most sincere and unaffected *bonhomie* and with deep and abiding love for those who were close to him. He was the most tolerant of men with one who honestly differed from him in opinion, and though he carried no permanent rancor or bitterness even in his indignation, he was absolutely inflexible toward those guilty of self-seeking, hypocrisy or cynical disregard of the welfare of the public. When later in life they assumed civic virtue and respectability, he did not fail to remember their earlier transgressions.

Some of his ways of dealing with people of this type were interesting. Many of them[1] made in some public utterance, a confession, as Shank explaining to an audience of Junior Chamber of Commerce members how he secured his primary victory by making appointments to office; or as Senator Watson telling in detail how he had built up a machine of 60,000 office-holders or seekers "ready-to-go"; or as Bookwalter, ex-mayor, explaining to the State Tax Bureau how three hundred thousand dollars a year might be saved by using business instead of the spoils methods. Mr. Swift hung on to these confessions with a bull-dog grip and at unexpected moments published them for the benefit of the community.

He sought to convince his audience by facts, solid argument and fitting illustrations, rather than by flights of "oratory." He

[1] See *Good Government*, August, 1924, p. 113.

was fair and just in statement, though he never minced his words; he never attempted to hoodwink or mislead his hearers; he took great care to be sure of his facts, so that in the sharpest controversy his assertions did not have to be withdrawn or corrected; this is particularly noticeable when his correspondence is examined. His words were oftenest Anglo-Saxon; his sentences, without involved construction; his illustrations always within the scope of his hearers. The reader will recall his explanation of the Spoils System to a small group of farmers in the Garfield campaign. He had a way of talking to these farmers and to other "plain people" which was very effective. At the conference of civil service reformers held in Baltimore in March, 1889, he thus describes the way to reach an audience of this kind:

> I once was speaking in the presence of two thousand people who came miles and miles in wagons—men, women and children, who had never heard of civil service reform, who hardly knew there was such a thing. I said to them, "I am in favor of civil service reform." "Well, what is that?" "That means good officers, that means death to the spoils system." "Well, what is the spoils system?" "Let me give you an illustration. Here in Indianapolis there is an old soldier with a wooden leg, a respectable man with a family, who owned a little cottage of his own and supported his family. He carried the marks of wounds upon him, and he had the respect of the entire community. For fifteen years he stood at the general delivery window of the post office and handed out the mail. He was put out of his place when the new postmaster came in and that man walks about today with nothing to do. Who took his place? Why, a young man twenty-one years old, who, through the interest of his party, got the place and for no reason in the world but that his father has political influence. A young girl, thirteen years old goes through that postoffice twice a day on her way from school. The young man gets acquainted with her and from time to time he makes an engagement to meet her and take her riding. At last he takes her to a drinking resort outside the city. As a result of that the young girl is now in the insane hospital, but the young man is still at his place in the postoffice, kept there by this abominable spoils system." Now you see, that strikes these people; you can make them understand that. So I say that by a flank movement, if you choose to use that term, you can teach civil service reform, and whatever man, woman or child will come to hear political speeches will listen to you. I do not advise the use of the term "civil service reform"; if you stick to that your crowd will leave you, but you can tell them the real facts about the matter and that will do what you want to accomplish.

Mr. Roosevelt, who immediately followed Mr. Swift, remarked:

I will be frank to say that if I had the power to put the question with the force that Mr. Swift has put it, I should doubtless have spoken of it far more often than I have done.[1]

Swift spoke the thought that was in him just as he felt it without regard to the effect of his words upon his own interest and he had little patience with others (especially the mealy-mouthed politicians) who hardly dared express an opinion on any subject before the party had spoken lest it might displease some supporter.[2]

While he was an idealist he was no mere visionary. A project must have some well-grounded hope of realization or he would not embark on it. In this he much resembled Theodore Roosevelt. Once when a fantastic enthusiast proposed to go to Indianapolis and arouse a crusade in behalf of a new law for a "State Employment [instead of a Civil Service] System" asking a group of leading men and women to "get a live committee, select officers, hire a secretary, raise $10,000, make alliances," et cetera, he wrote (June 4, 1925) rather dryly: "I don't believe Mr. A's plan would be successful" and declined to join the movement. When the enthusiastic gentleman persisted and asked to be introduced "to the right person, not a woman, not a clergyman, not a professor, but an Indianapolis lawyer or business man, about 35 to 40 years old, of good social standing and some influence," et cetera, he answered that there was no use coming to Indianapolis on such an errand.

One who knew him well says:

A characteristic very amusing to Mr. Swift's friends was his assumed ignorance of subjects that he did not care to discuss. For many years he used to ask genially as if he had never heard of it before, "What is Philosophy?" and he never admitted any understanding of what the gentlemen meant who wished to revive civil service reform under a new title such as "Personnel Administration" or "Public Employment Service."

He had his full measure of ambition; he craved success and frankly enjoyed it when he believed he had won it. He was not unaware of his own qualities; but he could not and would not stoop to conquer. His

1*Civil Service Reformer*, March, 1889, pp. 31, 32.

2For instance he sent a controversial pamphlet to two of these who wrote thanking him for his "most interesting" document but saying not a word of what they thought of it, whereupon he wrote in pencil on one reply "prudent" and on the other "trebly prudent."

was almost a clairvoyant understanding of what were the limitations imposed upon his undertakings through life; and in no way was his judgment finer than in his quick recognition and prompt submission to these limitations. He lost no vitality or force in futile schemes or in useless complaints or bitterness. And in the end his modest estimates brought success, perhaps not great, but splendidly genuine. It gave him strength during so many years of work and temptation, to keep his eye straight on the goal of civic righteousness with few traces of personal selfishness or aggrandizement.

It would be a mistake to conclude that he was indifferent to the elation of speaking to a great audience and that he always preferred the "small towns and villages" to which he asked to be assigned during the Bryan campaign, but no group was too small nor any occasion too modest to enlist his best efforts.

Under stress of defeat he was always serene; during his later years this became more marked; to those who knew him best, it seemed perhaps exaggerated, more than he actually felt. As a good soldier, he meant to go out with the drums beating.

As his realization deepened with the oncoming years that his physical forces were growing less and that his fighting days were over he increased the number of things over which he declared with a bang of his fist that he "should not worry"; he more and more deprecated the attitude of alarmist or of pessimist; his optimism to a close observer sometimes seemed a little strained and underneath his serenity he *did* have apprehensions not to be downed—for instance, over the municipal situation and the disasters possible in public life should the people continue indifferent and callous. There was once a moment when one near him had to see his very soul torn with anguish over his feebleness, when the forces of evil and rapacity seemed on the threshold of seizing the Sanitation plant and sweeping out the loyal and efficient guards who had so far barred the way.

He belonged early in life to the increasing army of sinus sufferers and long summer vacations were necessary to keep him in working trim. He is described by one who knew him, as a past-master in the philosophy of travel; whatever the weather, too much rain or too little, too hot or too cold, his letters always insisted that it did not interfere; whatever the people, a "dull" crowd or a "silly" crowd he seemed always to find the exceptions; the coasts of Maine and Massachusetts, Watch Hill, Lake George, the mountains of Virginia never failed to put an edge on both mind and body.[1]

At his death came expressions from many of his young friends as to how much at ease they felt in his company; how there seemed to be no barriers in age to sympathy. He appraised youth as of many sorts. Anyone who showed signs of a civic conscience gave him particular joy and he made it his duty to aid and abet its growth. He would not even discuss any possibility that when the coming amazing responsibilities were faced by our younger generation, it would not rise to meet them.

1In August, 1908, when he was on a visit with Silas Burt and others to the home of George McAneny and Doctor Jacobi at Bolton Landing on Lake George, he thus writes to his wife: "Night before last we went to the dance at the Sagamore. The rest came away in the middle of it but McAneny and I stayed to the end and were brought home in a beautiful launch by two young ladies. (I am just now going to their house to lunch.) It was 3 A. M. when I blew out my candle."

There were frequent dinner-dances at his home at Indianapolis in which he and Mrs. Swift participated but they ceased when the World War came on and were not afterward renewed.

His home life was simple but ideal. A modest dwelling on a quiet side street, its walls hung with interesting and artistic engravings and some exquisite Japanese prints, with good literature in a small compact library—its chief charm was the kind of people you were sure to meet there almost to the very last day of a long life in which good cheer and hospitality always pervaded the home.

The guests of the Swifts were of the most varied character and all were interesting people. In addition to those residing in his own city there were army officers stationed there, professors in Indiana University at Bloomington, in Butler College, in Notre Dame and many other institutions of learning. His friends, Professors Taussig, of Harvard, and Farnam, of Yale, were guests; also John J. Chapman, Lewis J. Ehrich and others, at the time when Bryan's free silver doctrines menaced the country. When his own National Civil Service Reform League came to Indianapolis, Charles J. Bonaparte, Richard H. Dana and other leaders of the movement were entertained by the Swifts. When the Anti-Imperialists met there, Moorfield Storey, Oswald Villard and others visited them and on another occasion, Julia Marlowe, who was later Mr. Swift's client in a libel suit against an Indianapolis paper. When the National Convention of Charities and Corrections was held, Thomas Mott Osborne, Julia C. Lathrop and others dined with the Swifts. To some readers these may be mere names but those who knew them will understand the character of the entertainments at the little house on Fourteenth Street, where the dinner guests were strictly limited to ten persons.

There were others from distant lands, among these Professor and Abbé Ernst Dimnet, of Paris; but perhaps the one whom Mr. Swift enjoyed as greatly as any other, and who came frequently was Wong Kai Kah, Imperial Chinese Commissioner to the Exposition at St. Louis, a graduate of Yale, who first came to Indianapolis to speak on Chinese poetry, then captured the city and brought his family to live there. A later guest was his official superior, Prince Pu Lun, who was invited to see a modest American home, which he gravely examined

from kitchen to maid's bedroom, and who once said his title was a thing gladly to be exchanged for Mr. Wong's accomplishments.

The conversation at the dinners and other reunions was lively and often merry but there was always something worth while to talk about and generally some earnest purpose beneath the mere flow of words.

Mr. Swift died on the third of July, 1929, at his home, from a stroke of paralysis which occurred two days before and from which he did not recover consciousness.

As Meredith Nicholson says: "His was a full life, a life of usefulness, void of low aims and mean ambitions."

There are comparatively few men who are wise enough to know that the greatest measure of happiness, even for themselves, is found by losing themselves in their efforts for the welfare of others—of the community, the nation or the world. These have within them the well-spring of lasting felicity. While no man can always be free from sorrow and anxiety, yet those who are most at peace with themselves have found the fullest enjoyment in their own lives as well as the respect of others. In spite of its occasional disappointments and hopes not yet completely realized, the career of Lucius B. Swift was a success. Few men have known better how to live.

He was not connected with any church. At his funeral the services were conducted by three of his old and intimate friends. He lay behind his country's flags and went out to the sound of "taps" to which as a youth he had so often listened in the Civil War.

He did not seek religious discussions. These too often tended "to heat rather than light" and he found them unprofitable. He was far from being a fundamentalist and realized that most of the great religious organizations in matters of faith and doctrine were in a state of transition; but admitting all its weaknesses and its errors, he believed that the Church was a most vital force in civilization. It still held in its protective arms those who never questioned its doctrines or authority, whose faith had the Apostolic glow, and for such as these he never

lost a tender understanding and reluctance to shatter or to disturb that faith. Hence his reticence.

But what of his own religious problems? We seem to hear, "Why talk of them?" If pressed, he probably would have said and believed that he had none. In fact, he had gently, happily and unconsciously been able to substitute a philosophy of life in which disinterestedness was the core and salvation meant "a condition of the soul reached only by some kind of self-discipline" and "approached by such virtues as honor, faithfulness, veracity, justice, temperance, magnanimity and love."

FROM "CHARACTER OF THE HAPPY WARRIOR"

William Wordsworth—1807

'Tis, finally, the Man, who, lifted high
Conspicuous object in a Nation's eye,
Or left unthought-of in obscurity,—
Who, with a toward or untoward lot,
Prosperous or adverse, to his wish or not,
Plays, in the many games of life, that one
Where what he most doth value must be won:
Whom neither shape of danger can dismay,
Nor thought of tender happiness betray;
Who, not content that former worth stand fast,
Looks forward, persevering to the last,
From well to better, daily self-surpast:
Who, whether praise of him must walk the earth
For ever, and to noble deeds give birth,
Or he must go to dust without his fame,
And leave a dead unprofitable name,
Finds comfort in himself and in his cause;
And, while the mortal mist is gathering, draws
His breath in confidence of Heaven's applause:
This is the happy Warrior; this is He
Whom every Man in arms should wish to be.

APPENDICES

APPENDIX A

POSTMASTER GENERAL VILAS AND THE DOWLING CASE

Mr. Vilas wrote to Mr. Swift in September 1885: "I hope I shall ever be as willing to remove an unfit person when appointed by me as if he had been found in the service when I took it."

He showed however that he was *not* willing to remove such an unfit employee. James Dowling was appointed by the influence of a Democratic congressman, to a position in the railway mail service. He boasted that he had bribed certain members of the Common Council of Indianapolis of which body he was a member. For this he had been tried by the Council and it was found by a vote of seventeen to three that he had made this boast. A majority voted to expel him but the requisite two-thirds was lacking. Dowling had refused to testify before a grand jury on the ground that his answer might incriminate him. These facts were notorious in Indiana. Postmaster General Vilas was notified of them by Mr. Swift but wrote him on September 14, 1885, that it would be fair to Mr. Dowling to have notice of the accusation because inquiry might put a different complexion on the case.

Mr. Swift replied stating that Mr. Burt, superintendent of this division, knew the facts and had forwarded a complete statement of the case to the department; that the matter was as notorious as murder committed in open daylight in a crowd; that if formal charges were necessary he would prepare them if assured of a fair chance to prove them, adding that "his retention in the face of his publicly acknowledged criminality is of the greatest importance. Any influence which secures his retention is a corrupt influence, and the persons exercising it are the enemies of the President and of the people. Their only purpose is to secure personal benefit or to bring to nothing the aims of the President toward administrative reform.

"So imperative does the duty of continued protest seem to me, that without regard to a future investigation I inclose proof of my former assertions; this is in the form of a statement, with the necessary affidavits and other evidences and signed by citizens of this city."[1]

Swift enclosed detailed affidavits and a petition concluding as follows:[2]

Mr. Vilas answered on December 23.[3]

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1 *Senate Reports*, 1888, X, Part IV, p. 85.

2 *Ibid.*, p. 89.

No sound business man would retain an employee who declared he had cheated a former employer. The people demand that the same rule shall be applied to their business, and that no man who publicly boasts that he has cheated them and has become a criminal by bribing their representatives shall ever again have confided to him a public trust. We therefore ask that James T. Dowling be dismissed from the public service.

LUCIUS B. SWIFT,
ALEXANDER METZGER,
LOUIS HOWLAND,
ARTHUR A. MCKAIN,
LINDLEY VINTON.

3 *Ibid.*, p. 81.

. . . Dowling was guilty either of having given a bribe or of indiscreet and foolish speech. He denies the first, and there is nothing but the fact of an indiscreet and foolish speech to charge him with. He was not convicted of it by the council of the city, nor has he been by any tribunal. I am unable to decide, nor to find sufficient evidence to believe, that he was guilty of having given the bribe, upon the evidence.

I have no hesitation in finding that he was guilty of reckless and foolish speech. The question is what effect that should have. . . . The officers commend him as industrious, of good memory, as showing aptitude and taking interest, as obedient, as careful, as quick, as learning distribution rapidly, of good habits, especially on duty, of good disposition and neatness, orderly in his work, and as a fit person for promotion, and they accordingly recommend his re-appointment.

Such a record seems to me to justly outweigh the folly and indiscretion of a single speech made under excitement. Besides to such a man it seems to be fairly due to afford the opportunity of mending his ways and becoming the good citizen that he appears to possess the capability of. I am also assured by men of eminent position and high character that they have great confidence in him. Upon these grounds, I think it my duty to give him the appointment to which his record entitles him.

Mr. Swift thus replied on January 16, 1886:

. . . I am not surprised that Dowling is to be kept in the service, for I sometime ago found out that even under this Administration if a Congressman wanted to keep his "man" in place he could do so, and if he needed them he could always get "men of eminent position and high character" to say and do whatever was necessary to accomplish the end. Dowling is Mr. Bynum's "man" and can give to him or take away from him some votes among the vicious elements of this city. I think Mr. Bynum's price for the votes is dear.

I do not wish to be understood as urging this matter further, but I can not refrain from protesting against your statement of what the evidence before you shows. That evidence shows that Dowling boasted of having bribed certain members of our city council; that twenty-four hours later, in a different place and to a different set of hearers, he repeated the same boast and wanted an investigation by the grand jury; that four days later still, when called before the grand jury, he refused to answer because, as he said under oath, it might incriminate himself, and when taken before the judge he persisted in this plea and was therefore excused. I do not see how you can read over that evidence and say that the offense is simply "the folly and indiscretion of a single speech made under excitement." His denial, which you mention, now comes for the first time. After the charges were filed he came to my office to browbeat and threaten me into withdrawing them. But when I said to him, "Since you were before the grand jury you have said to different persons that you did bribe members of the council, and you won't now deny it to me;" he anwered, "I know I have, and I never have denied it and I never will, but I didn't handle the money. I don't want you to think I was such a fool as that." . . .

In the prosecution of this matter those who signed the charges have not been afraid of the daylight. They have been willing that not only Dowling but all their neighbors should know what was said and done. On the other side everything is done in the dark. Yet the eminent men of whom you speak have no right to hide their work, and I ask for their names for publication here. The people of this community know Dowling well, and they would like to know, and have a right to know, who among them of eminent position and high character have great confidence in him. I say plainly that you have been duped, and it is due to you and to the Administration to let the people here know who have helped to bring this about.

Mr. Swift adds the following to his account of the Dowling case given to the Senate Investigating Committee, September 13, 1888:[1]

He [Postmaster General Vilas] refused to dismiss Dowling. The termination of the case is a matter of some interest. The man was wholly inefficient and was in the habit of getting intoxicated, and going out upon his run intoxicated. . . . They kept him, however, in the service until the latter part of 1887, when he went from Indianapolis to Peoria drunk in his car, and arrived at Peoria with no mail distributed. Then he came back to Indianapolis, and, I am informed upon credible testimony, allowed his car to go to Peoria and back without any one in it. After that occurred, and after, I suppose, a careful investigation, they dismissed him.

1. *Senate Reports*, 1888, X, Part IV, p. 89.

APPENDIX B

TERRE HAUTE AND FORT WAYNE POST-OFFICE INVESTIGATIONS

The free delivery post-offices in the various cities of the country had been classified by President Cleveland on January 5, 1893 (see *Tenth Annual Report of the United States Civil Service Commission*, p. 1). The Attorney General on May fifth gave an opinion that the classification of such offices took effect only after an examination had been provided for the particular office to which it was to be applied, so the Democratic politicians now began to get busy in ousting Republicans and putting in Democrats before these examinations were held.

David C. Greiner, a Republican, was postmaster at Terre Haute, Indiana, his term expiring July 7, 1893. John E. Lamb, a former Congressman from that district and a leading Democratic politician, suggested Greiner's resignation and said if it were not given, personal charges of a sensational nature would be made against him and his removal demanded. At a later time a suggestion was made by Crawford Fairbanks, another prominent Democratic politician, through one Mr. Bauer, that if Greiner would resign immediately, no charges would be made and he would be allowed his pay for April and half pay for May and June. This offer was made for the purpose of appointing a Democratic postmaster and putting in Democratic mail carriers and other subordinates in lieu of the Republicans then in office before the civil service rules should take effect. Greiner refused. Charges were preferred and sustained and about the fifth of May he was removed and Allen H. Donham was appointed in his place. Daniel W. Voorhees, one of the Democratic senators from Indiana wrote to the Civil Service Commission that the board of local examiners was so partisan that no Democrats would apply. This charge was absolutely false but upon receiving it the Commission, which had ordered an examination for May sixth, postponed it until Saturday, May thirteenth. Donham, the new Democratic postmaster, arrived in Terre Haute on Friday, May twelfth, at about eight o'clock in the morning. A little after nine o'clock, accompanied by three of his Democratic associates and proposed appointees, he came to the office of Postmaster Greiner and demanded immediate possession. Mr. Greiner said that this was impossible; that the inventory was not completed and he asked an extension of time until the following Monday. Donham refused and Greiner telegraphed for instructions from the Postmaster General and received an answer that it was customary to transfer the office Saturday night after business hours and instructed him to so advise Mr. Donham and conform to custom. But Saturday was the thirteenth of May, when the civil service examination was to be held, and if Donham waited until Saturday evening the office would be classified and he could not appoint the Democrats he had chosen but would have to select from the applicants who stood highest on the examination, so Donham refused to leave the office as Greiner asked him to do, but remained in the postmaster's room all day with his friends, and in the evening he forcibly entered the principal room of the post-office and remained there all night. On Friday he had sent to all the

letter carriers and employees except three, notices that they were removed and had caused his own appointees to be sworn in, and on Saturday he attempted to take possession of the whole building and exclude all the former employees. Greiner telegraphed this to the Postmaster General who replied "that postmasters could not employ, re-instate, promote or remove carriers." The civil service examination was held on Saturday and completed about four o'clock. That night Greiner delivered possession of the post-office to Donham.

A committee of the Indiana Civil Service Reform Association composed of Lucius B. Swift and William Dudley Foulke at once proceeded to Terre Haute to investigate, reaching that city about one o'clock Sunday morning. By Sunday night a large group of witnesses had been examined who made statements in regard to the foregoing facts. On the afternoon of Monday, May fifteenth, the committee had the following interview with Postmaster Donham:

Mr. Swift stated to him that the committee desired to make a report of the facts connected with the present post-office matter to the President and the Postmaster General and felt that it was but fair to come and have a talk with him; that there had been a clean sweep and that we should like to know upon what ground he based his action. He answered that he did not think the law had gone into effect in this office and that he felt he had the right to make these removals.

Mr. Swift then asked him how he viewed the matter in connection with the statements of the national Democratic platform, that officers should not be subject to change at every election, and that they should not be given out as a reward for party service and also in connection with President Cleveland's well-known views. Donham said he could not say as to that. Mr. Foulke then said that the regulations forbade any postmaster to remove carriers and asked him how he could dismiss carriers under that rule. He answered that he had not dismissed any one but had done everything subject to approval at Washington.

Mr. Swift said that he had seen written notices of dismissal. Donham answered that that was a mere formality and that he had done everything subject to approval at Washington. Mr. Foulke said that he had introduced some of these men to their successors and told them that they were dismissed. Mr. Donham repeated his statement that everything was done subject to approval.

Mr. Foulke then asked him if these men removed had been guilty of any misconduct. He said that he made the charge of general insubordination. Mr. Foulke asked him in what that consisted. He answered that when he came in to take possession he met with resistance. Mr. Foulke asked him if the Postmaster General was not equally guilty of insubordination in not letting him have possession. He answered that he did not know about that.

Mr. Foulke then asked him as to the qualifications of the appointees, as to whether they had had experience in the business. Donham said some of them had. Mr. Foulke asked how many and he answered, "Two."

Mr. Foulke then asked him why he was in such a hurry to get possession, and he said on account of the civil service law, that the opinion of the Attorney General held that it did not take effect until after the examination; that they thought if they had possession before the examination, they would have a right to make these changes.

Mr. Swift asked him if he knew every one of these new men and

he said that he did. Mr. Swift then suggested that he had worked with them politically and he said that he had, but that he knew them to be bright and capable men and that was his first consideration.

Mr. Swift suggested that Mr. Donham did not think much of the civil service law and he answered that he did not; that he wanted to avoid the effect of the law but not to defy it.

The substance of the foregoing facts was embodied in a report which was sent both to the President and the Postmaster General. The report concluded as follows; "We respectfully submit the question whether it is possible to secure an enforcement of the Civil Service law through the agency of a postmaster who has thus avowed his purpose to evade its provisions. Should such a postmaster be permitted to remain in the public service?" . . .

A few days later this report was sent for publication to the *Indianapolis Journal* and other papers by Mr. Swift who added the following:

> After a week's reflection I am satisfied that the report is too mild. The whole thing was a piece of scoundrelism. Nothing less can be said of men who offer an officer money if he will resign and at the same time tell him that, if he does not resign, sensational charges will be filed against him. Their only object was to get possession of the office, fill it up with heelers and thus beat the civil service law. The postmaster had only seven weeks to serve and he had been stricken blind. He refused to resign and the sensational charges were made, not in the interest of the public service or of public morality, but solely as a means of making vacancies into which henchmen might be put and the law cheated, and to gain time, charges, known to be false by all who had to do with them, were filed against the local examining board. Following the receipt of his commission, the new postmaster, standing in the Government building, refused to obey the explicit order of the Government directing the transfer to be delayed until Saturday night; but after this order was shown to him he continued in his attempt to take possession by force and delivered written dismissals to employees and tried to keep them out of the building. In dismissing employees he piled violations of the postal regulations upon his defiance of the order of the Government. Yet this double law-breaker files charges of insubordination against employees who were merely trying to carry out the orders of the department by performing their duties and keeping interlopers out of the postoffice. Up to Saturday night, the time fixed by the government for the transfer, Donham was nothing but an interloper. It is inconceivable that he can remain postmaster at Terre Haute a week longer. This whole business shows the desperate expedients to which those who have to do with the piracy of public office will resort.

In addition to the committee's report, Mr. Swift on June 3, 1893, personally addressed a letter to President Cleveland filled with vigorous denunciation of the piratical onslaught and containing the following:

> I have seen many things done in politics which were censurable but I have never seen a transaction so damnable as this. The managers of this work have been Senator Voorhees, John E. Lamb, Crawford Fairbanks and the new postmaster, Donham. You cannot afford to countenance any one who has had anything to do with it."

The report of Swift and Foulke was referred to the Civil Service Commission which ordered an inquiry. Fortunately Theodore Roosevelt was then one of the Commissioners and he was delegated to make the investigation. He went to Terre Haute, conducted the examination and on his return to Washington on May twenty-fifth he made an elaborate report to the Commission which was approved, and all the employees whom the new postmaster thus attempted to introduce into the classified service were removed and the old employees were re-instated. The new postmaster who had been guilty of these illegal acts was not, however, himself removed. Doubtless his inexperience and ignorance of the law as well as Congressional influence were the cause of this leniency

and it must be said that his subsequent administration of the office gave no cause for serious criticism. This was one of the fortunate investigations of the Indiana Association.

It was not so immediately successful in an inquiry which was made the following February into the condition of the Fort Wayne post-office, where the plan was to discourage Republicans from taking examinations and thus to get a Democratic eligible list and then to turn out the Republicans in office and put in the Democrats who passed. This plan succeeded. It was well known that Democrats only would be appointed so very few Republicans applied for examination. Then began the dismissals of the men in the classified service, either without cause or upon charges trumped up after the dismissal. The postmaster excused the changes by the pressure for place and the statement, "Everybody has his friends."

The same committee (Mr. Swift and Mr. Foulke) reported these matters in detail concluding as follows: "We believe reasonable information of the ground of complaint should, as a general rule, be given the man it is proposed to remove before final action is taken."

By order of the Association this report was sent to the President, the Postmaster General and the Civil Service Commission. The Commission some time afterward reported that of thirty-six employees twenty-seven had been separated from the service and that the presumption was that the postmaster was controlled by political consideration, yet no action was taken upon its report.

Postmaster General Bissell, although he was anxious to prevent violations of the law seemed unwilling to punish those who had committed such violations. Commissioner Roosevelt however, approved Mr. Swift's investigation. On February 7, 1894, he wrote:

Dear Swift:

I am glad you went down to Fort Wayne; I only wish you could go to La Porte, to Evansville and to several other Indiana offices. We have had more complaints from the Indiana offices than from any others. As I wrote you, I have long been growing to believe that we must have some power to investigate dismissals in all cases, and at least to file our opinion in the case; and I am as firmly convinced as ever that full and detailed reasons should be given for the dismissal of each man, and that then he should be heard in his own defense.[1]

Such investigations however, as the one at Fort Wayne at last bore the fruit desired. On June 28, 1894, Postmaster General Bissell issued an order that no carrier should be removed except upon written charges of which he should have notice and an opportunity to make defence. When McKinley became President he promulgated a similar rule in regard to all employees of the Government and at a still later period, August 24, 1912, this was enacted into law.

[1]As President, however, Mr. Roosevelt afterward modified this view.

APPENDIX C

PORTO RICAN TARIFF

In the winter of 1899-1900 a project was introduced into Congress to establish a tariff on our commerce with Porto Rico, thus indirectly imposing taxation upon the people of that island without their consent. The excuse was that the money was needed for education, road building and other activities in Porto Rico. Many Congressmen, as well as President McKinley, had previously opposed such a tariff but had apparently changed front and now supported it.

The idea was so revolting to Mr. Swift that he sent indignant letters to his Congressmen in regard to it. In one of these, written March 1, 1900, just after the House had acted favorably upon the project, to Jesse Overstreet, the representative from the Indianapolis district, he said:

> There are few more disgraceful pages in our history than that written yesterday by the House of Representatives. I can think of no comparison but the Stamp Act. Congressmen seem to have gone mad. There is a greater thing than education or roads or money and that is justice. No one will believe that this shift of Congress and the President from one side to the other was caused by the need of revenue. Porto Rico must get schools and roads as other communities do, largely by local taxation, or go without them. I cannot conceive that congressmen are ignorant of public opinion. They seem determined in spite of that opinion to cram this thing down our throats. No one will be more surprised at the result than they will be, unless it is the President. The people like a President, when he puts his foot down, to keep it there and not go to lobbying for the other side. . . .

He also addressed the following to Senator Fairbanks:

> Three things can avert Republican defeat in Indiana this year: free trade for Porto Rico, an adequate beginning of legislation against great corporations called trusts and a reasonable redemption of the civil service pledge. The talk of Indiana Congressmen that the people at home do not understand matters may as well cease. All human understanding has not moved to Washington. Indeed we think we have a pretty clear comprehension of certain principles which have been bragged about for something over a hundred years and we intend to stick to those principles. I must assure you that free trade between Porto Rico and the rest of the country does not admit of suspension for a single hour.

Fortunately free trade with Porto Rico was maintained.

INDIANAPOLIS STREET RAILWAY FRANCHISE

Another matter in which Mr. Swift was deeply interested was the wasteful concession of the Indianapolis Street Railway franchise to a private corporation. He prepared and circulated a pamphlet on this subject in which he detailed the whole past history of the street railway and its financial transactions. He added:

> It is said that the fooling away of the street railway franchise cannot be charged to any one party. I am not seeking to charge it to any party; but when a government has the controlling power and acts, we must hold that government responsible.

The reader of these pages might well ask why so little of reform efforts within his city's gates? Was Mr. Swift indifferent? Far from

it. Whenever the occasional flurry over a bad mayor or a corrupt machine offered a chance to protest, he was there; but it led nowhere; there might follow a period of rest with surface decency. But so long as the foundation of city government remained in the national political machines, so long as their workers (always on the job) were maintained by loot, permanent cleansing was hopeless; such Tammany foundations at their decentest cost fabulously. To convert politicians who were thus watchful for personal pelf would require the unflagging zeal of many men for many years. Swift realized that it was first necessary to wipe out the party machine and the ward worker, fed from the public trough.

THE MILITARY SITUATION

On May 25, 1915, not long after the outbreak of the World War, he read before the Economic Club of Indianapolis an address on "The Military Situation in the United States" in which he said:

> No man can tell what may come against us after the present war is over. Whatever hostile array can come possibly, may come actually; we must prepare for that. We are compelled to recognize the fact that we are no longer immune from attack by reason of isolation, and we have not only our own country but the Monroe Doctrine and the Panama Canal to take care of. The people of the United States will make no preparation for aggression but they ought to refuse to be left in a helpless condition against the strongest aggressor who can come, such a condition for instance as when the British landed in 1814 and burned the public buildings in Washington.
>
> I saw the gathering of the hosts when Fort Sumter was fired on in 1861. I saw the painful process of creating in the midst of war, an army out of absolutely raw material with its enormous losses of lives and money. But where a hundred thousand were then raised, a million must now be forthcoming—in case of war. I shall not enter into the field of the experts, but after some considerable experience in the ranks, I shall venture to say that a man who goes into battle knowing that he can hit what he shoots at goes in with his courage ten times braced.

APPENDIX D

ADDRESSES AT UNIVERSITIES IN INDIANA

On February 7, 1923, Mr. Swift delivered the Founders' Day address at Butler University, Indianapolis. His subject was "The Call of the World to America." He reviewed the history of the great world conquerors, referred to the recent extinction of Armenia by Turkish arms and massacre, and continued:

And so, while a conqueror is loose or while the conquering spirit lives, the world is driven and will be driven from war to war. Today the entire Christian world is against war. How, then, shall we stop war? To speak softly all are agreed and pacifists believe that will make an end of war, if it is followed up by throwing away arms. That is a pleasant vision, but it ignores common sense and common knowledge of men and nations; the Peace Ship sailing December 4, 1915, with its motto "Out of the Trenches by Christmas" is an example. Turning to another well-meaning class, I read in a sermon the other day that if all men have Jesus in their hearts there will be no more war. The teachings of Jesus are everlasting, but the Turk does not and never will have them in his heart; he has Mahomet and a God who justifies killing Christians. Yet in the presence of the Turk and the Red Army threatening to rend the Christian world, our pacifist friends say it should disarm, and so doing be safe. . . .

If you live within reach of a people possessed of the will to conquer, you will not pacify them by making yourself helpless. If you are wise, you will carry, not necessarily a big stick, but a stick big enough for adequate blows in defense. That is the first rule to guide our own non-predatory nation, and that is the only rule to guide teaching in our schools and colleges. Strong as is the determination to have no more wars, the fighting spirit of our youth must not be weakened. . . .

Having guarded the safety of our established institutions, if we stop here, we leave our work half done. . . .

It was in the air for years that sooner or later we would have war with Japan and our greatest men regarded it as possible. That atmosphere continued after the war and we set about building the largest fleet in the world. Then came an epoch in American history—the Washington Conference. At the opening of that conference President Harding said: "Our hundred millions frankly want less of armament and none of war." Balfour picked three words from that address, "Simplicity, Honesty, Honor," and proposed them as the motto of the conference. Secretary Hughes said: "The world looks to this conference to relieve humanity of the crushing burden created by competition in armament." The opening words and proposals of the conference sent a thrill of joy all over the civilized world, and as it went on, step by step, to the end, it was followed by world approval.

An enormous reduction in warship building and armament was agreed to and is being carried out by Japan, England and America. Passing to the Pacific the conference performed a miracle. Nine powers signed an agreement embodying the principle of the Open Door and the maintenance of the integrity of China. Japan gave up Shantung and England Wei Hai Wei. Japan came to the conference suspicious and wary and went home to lead the world in the performance of her new obligations. China came in her darkest hour and went all the way home in sunlight. The war cloud over the Pacific has vanished and America and Japan meet as friends, believing in their mutual fairness. A vital triumph of the conference was the establishment among its members of confidence in the sincerity of one another. The next and equally great triumph was that the nations who took part cast out the conquering spirit. . . .

Since those days of hope realized, many months have passed and the world is asking what next? Had America only one move to make? While we wait the world is seething again and all the good done by the Washington Conference threatens to become an oasis overwhelmed by a storm of war. . . .

Our isolation has left us not in all respects well fitted. Walter H. Page said that in foreign affairs some American representatives needed to substitute courtesy for rudeness. Elihu Root speaking before the Civic Federation a few days ago in New York said that the voters of the nation needed education in foreign affairs. Our papers hand out insults to foreign nations and in congress a member, for the sake of a few votes in his home town, not infrequently in

speech or by resolution, commits the grossest indignity upon a friendly people. We must all enter the school of foreign affairs and you, the students of Butler, must help to fill the educational gap. . . .

At this late moment there remain some noisy and shallow demands for continued national isolation—a preachment up and down the land that we must make no political agreements with any other nation. The chief argument in its support is Washington's advice against "entangling alliances" with foreign nations. Was the political agreement with Britain, now over a century old, not to fortify the Canadian border an entangling alliance? What would Washington have said to that? Was the Washington Conference which was a political agreement with other nations to have peace instead of war in the Pacific and to cut down fleets, by which we have already saved one hundred and eighty million dollars, an entangling alliance?

Notwithstanding all of the foregoing the country has today absolute freedom of action. It is confronted by a world, in great part, on the brink of chaos. There is a breach in the ramparts of order, which the United States of America alone can fill. The meanest and most selfish words found in our language today are in the phrase "For America and for America *Only*."

At the close of the war America held an enviable position. The world literally turned to her in moral need of her counsel. It is not boastful for an American to say that she deserved it. It was not alone that she fought the war through without price. It was an American, John Hay, who began, as was stated from this platform a year ago today, to write the Sermon on the Mount into our dealings with other peoples. H was the first of that line of American statesmen including such men as Elihu Root and Walter H. Page, who dealt with a foreign nation as one honest man deals with another. They have placed America as far apart as the poles from the Machiavellian diplomacy of Metternich and Talleyrand and Bismarck, which knew no Simplicity, no Honesty, no Honor. . . .

Ever since the end of the war when our overseas army came home asking nothing and bringing nothing but their guns and their victorious flag, the strained and tired eyes of our rent and torn allies have turned to us. More than four years have passed; civilization seems powerless to right itself and the call of the world thunders louder than ever and there is a new and rising public opinion which says that the call must be answered. It is America's burden and we must take it up.

Mr. Swift delivered another address to the students of Indiana University at Bloomington on April 5, 1923, entitled "Economics and World Politics," on the occasion of the dedication of Commerce Hall. In this he reviews the triumphs and general fairness of American diplomacy from the days of the mission of Pinckney and John Marshall to the French Directory down through the Alabama Arbitration and the negotiations leading to the open door in China and the Washington Conference, and continues:

Shall we go on? I feel bound to repeat what I have said before, that I am not a pacifist. I have a modest Civil War record of which I am proud. Our late overseas army struck one of the most righteous blows it was ever given to human beings to strike. While conquerors can raise armies or while grasping nations act upon the principle that might makes right, wars will have to be fought, and so long as that is true there must be a trained fighting spirit in America. . . . On the other hand, there suddenly appears from Washington hard-boiled propaganda in these words:

"America's prosperity would be hurt by the return of Europe to normalcy. Restoration of production in Europe means less exports from this country."

I do not believe that the American people will be satisfied with the brutal selfishness of that statement or with its economic unsoundness.

We must go on. As to methods of procedure, no single one can be urged as the only method; nor can any man be allowed to say that we must enter by a certain door or not at all. The Washington Conference method has won its spurs. Only blind prejudice will turn us away from the World Court with its open door to international justice. . . .

The desire to do right, such as ruled the Washington Conference, must be made the controlling spirit of this and all other international methods. If that can be, no coercion will be necessary; if that cannot be, then, the methods will fail and we shall be thrown back upon balance of power, secret diplomacy, might makes right, and shall live in the atmosphere of Overreach and in need of the Long Spoon. It rests with America to turn the scale and make "Simplicity, honesty, honor" the fixed motto of the world's international dealings.

Mr. Swift also delivered the address at the annual Memorial Day exercises of Purdue University in 1923. This address was printed by Purdue University in its *Bulletin*, Volume 23, No. 8 (June, 1923). After speaking briefly of the Civil War, Mr. Swift considered the assaults then being made upon the foundations of constitutional government.

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